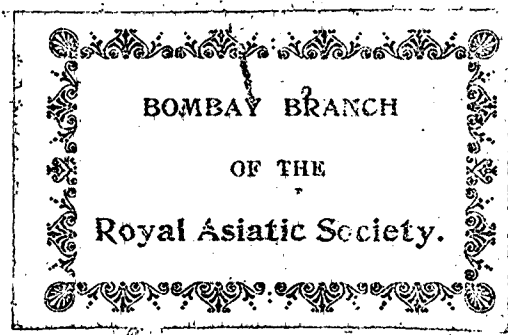




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A
COLLECTION
OF THE 108189^{or}
PUBLIC GENERAL STATUTES,

PASSED IN THE
Seventh Year

OF THE REIGN OF HIS MAJESTY

KING WILLIAM the FOURTH

AND THE

First Year

OF THE REIGN OF HER MAJESTY

QUEEN VICTORIA:

Being the THIRD SESSION of the TWELFTH PARLIAMENT
of the United Kingdom of *Great Britain and Ireland*.



LONDON:

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1839.



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A •

T A B L E

OF

All the STATUTES passed in the THIRD Session
of the TWELFTH Parliament of the United
Kingdom of *Great Britain and Ireland*.

7° GUL. IV. & 1° VICT.

PUBLIC GENERAL ACTS.

7° GUL. IV.

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PRINTED BY THE QUEEN'S PRINTER,

AND WHEREOF THE PRINTED COPIES MAY BE GIVEN IN EVIDENCE.

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LONDON: Printed by GEORGE EYRE and ANDREW SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1837.

ANNO REGNI
GULIELMI IV.

Britanniarum Regis,

SEPTIMO.

At the Parliament begun and holden at *Westminster*, the Nineteenth Day of *February*, *Anno Domini* 1835, in the Fifth Year of the Reign of our Sovereign Lord WILLIAM the Fourth, by the Grace of God, of the United Kingdom of *Great Britain* and *Ireland*, King, Defender of the Faith :

And from thence continued, by several Prorogations, to the Thirty-first Day of *January* 1837; being the THIRD SESSION of the TWELFTH PARLIAMENT of the United Kingdom of *Great Britain* and *Ireland*.



LONDON:

Printed by GEORGE EYRE and ANDREW SPOTTISWOODE,
Printers to the King's most Excellent Majesty. 1837.



ANNO SEPTIMO

GULIELMI. IV. REGIS.

C A P. I.

An Act to suspend for a limited Time the Operation of Two Acts passed in the last Session of Parliament, for registering Births, Deaths, and Marriages in *England*, and for Marriages in *England*.
[24th February 1837.]

WHEREAS Two Acts were passed in the last Session of Parliament, intituled *An Act for registering Births, Deaths, and Marriages in England*, and *An Act for Marriages in England*; and by reason of the Provisions therein contained the said Acts would come into force on the First Day of *March* now next ensuing; but it is expedient that the full Operation of the same should be further delayed: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That, subject to the Proviso herein-after contained, the said Two Acts respectively shall be construed as if the Words "last Day of *June*" had been inserted in the said Acts instead of the Words "First Day of *March*", in every Place where the last-mentioned Words are found in the said Acts respectively: Provided always, that the Registrar of every Diocese shall, within Fifteen Days after the First Day of *March* now next ensuing, make out and send, through the Post Office, directed to the Registrar General of Births, Deaths, and Marriages

6 & 7 W. 4.

c. 86.

6 & 7 W. 4.

c. 85.

How recited
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construed as
to certain
Dates.
Proviso.

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II. And be it enacted, That notwithstanding any thing in the said Acts contained, or either of them, the first certified Copies of all the Entries of Births and Deaths, or first Certificate that there has been no Birth or Death registered in the Register Book to be kept by any Registrar of Births and Deaths, and the first certified Copy of all the Entries of Marriages, or first Certificate that there has been no Marriage entered in the Register Book kept by any Rector, Vicar, Curate, Registrar of Marriages, Registering Officer of the Society of Friends, or Secretary of a Synagogue, shall be made and given to the Superintendent Registrar in the Month of *October* now next ensuing, and shall contain and certify all the Entries made up to the Time at which the same shall be so certified to be a true Copy, or that there have been no Entries up to that Time, as the Case may be.

Act may be amended or repealed this Session.

III. And be it enacted, That this Act may be altered, amended, or repealed by any Act passed in this Session of Parliament.

LONDON: Printed by GEORGE EYRE and ANDREW SPOTTISWOODE,
Printers to the King's most Excellent Majesty. 1837.



ANNO SEPTIMO

GULIELMI IV. REGIS.

C A P. II.

An Act to amend an Act passed in the Seventh Year of His present Majesty, for consolidating and amending the Laws relating to the Presentment of Public Money by Grand Juries in *Ireland*. [24th February 1837.]

WHEREAS by an Act passed in the last Session of Parliament, intituled *An Act to consolidate and amend the Laws relating to the Presentment of Public Money by Grand Juries in Ireland*, it is amongst other things enacted, that it shall not be lawful for any Grand Jury of any County, County of a City, or County of a Town (except the County and City of *Dublin*), at any Assizes to make any Presentment (save and except in the Cases in the said Act specially reserved and excepted) for the Execution of any Public Work whatsoever, or for raising any Money, unless under the Authority and by virtue of the Provisions of the said Act: And whereas since the passing of the said Act Doubts have been entertained whether certain Presentments can be legally made by the several Grand Juries in *Ireland* at the next Spring Assizes, the Presentment Sessions at which Application should have been made for such Presentments not having been appointed or held under the said recited Act: And whereas it is expedient that such Doubts should be removed, and that the said Act should in other respects be amended: Be it therefore enacted, by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled,

6 & 7 W. 4.
c. 116.

B

and

Presentments may be made at the next Spring Assizes, and such Presentments, and the Proceedings of previous Sessions to be valid.

and by the Authority of the same, That it shall and may be lawful for the Grand Juries of each County, County of a City, and County of a Town in *Ireland*, at the next Spring Assizes, to make Presentments in the same Manner as they would have been authorized to do in case the several previous Presentment Sessions for their respective Counties, necessary in that Behalf, had been appointed and held and the several Applications thereat made under the Provisions of the said recited Act; and all such Applications, and all Presentments of such Grand Juries, and the several Proceedings of the previous Presentment Sessions and of preceding Grand Juries thereon, *bonâ fide* made and entered into, either according to the said Act or to any Law in force immediately before the passing thereof, shall be good and valid to all Intents and Purposes whatsoever.

For removing Doubts respecting the Operation of the recited Act in the County and in the City of Dublin.

II. And whereas Doubts have arisen how far the County of *Dublin* and the County of the City of *Dublin* are within the Operation of the said Act, and it is expedient to remove such Doubts; be it therefore and it is hereby declared and enacted, That the said Act shall not be construed to affect or extend to the said Counties or either of them, save and except only in so far as Provision is by the said Act made requiring the Grand Juries of such Counties to transact their fiscal Business in open Court, and for the more speedy and effectual Repair by the Commissioners for the Extension and Promotion of Public Works in *Ireland*, upon the Application of His Majesty's Postmaster General, of Roads upon which His Majesty's Mails are carried, which Provisions shall remain in full Force and Effect.

Posting and delivering of Notices.

III. And be it enacted. That a Notice in Writing of every Application for any Work intended to be made at any Presentment Sessions holden under the Provisions of the said recited Act shall be affixed, by or on behalf of the Person or Persons intending to make such Application, on or immediately adjacent to the Doors of every Police Station or Barrack within such Parish or Parishes wherein the Work to which such Applications shall relate is proposed to be executed, and at the Places (if any) appointed by the Grand Jury for posting Notices therein; and such Notices shall be so affixed at the Time in the said Act directed; and a Copy of every such Notice shall be delivered to the Clerk of the Petty Sessions of the District where the Work for which such Application is intended to be made, or the greater Portion thereof, is to be performed, instead of to the Clerk of the Petty Sessions of the District off which it is proposed that the larger Portion of the Expence of such Work is to be raised, as by the said Act is directed; and the Notice of every such Application shall be delivered to the County Surveyor Ten Days before the Day appointed for holding the first Presentment Sessions in each County after every Assizes: Provided always, that the Delivery of any such Notice to the Baronial Constable Fifteen Days before the Day appointed for holding such Sessions shall be deemed to be due Notice to the said County Surveyor; and any Baronial Constable to whom any such Notice may be delivered shall transmit the same to the said County Surveyor within Five Days after he shall have received the same; and it shall not be necessary to deliver any such Notice other than the Application itself to the Secretary of the Grand Jury.

Proviso.

IV. And

IV. And be it enacted, That all Applications for Works the Expence whereof is by the said Act directed to be levied, one Half off the County and the other Half off any Barony or Baronies in which such Works or any Part thereof may be situate, shall be made at the Presentment Sessions to be holden for the Barony in which such Work or the greater Portion thereof is locally situated.

Applications for Works to be made at Presentment Sessions.

V. And whereas by the said recited Act of the last Session of Parliament it is amongst other things enacted, that no Presentment for any Fever Hospital or Dispensary established by private Subscriptions or Donations shall be made in case it shall appear that the Salary of the Medical Attendant during the last Year amounted to One Half of the Sum to which the Subscriptions, Donations, and the Sum presented would amount: And whereas the said Enactment hath been found inconvenient; be it therefore enacted, That the said Enactment shall be and the same is hereby repealed.

Enactment in recited Act respecting Grant to Dispensaries &c. repealed.

VI. And be it enacted, That it shall and may be lawful for any Two Magistrates, who in the Absence of the Coroner of any County may have held any Inquest relative to the Death of any Person, and before whom any Physician, Surgeon, Apothecary, Chemist, or other Person practising Medicine or Surgery shall, in obedience to a Summons from such Magistrates, attend and be examined as a Witness at such Inquest, to grant such Witness an Order signed by such Magistrates, upon the Treasurer of the County wherein such Inquest shall be held, for such Sum, not exceeding Three Pounds, as to such Magistrate shall seem fit; and the Amount of all such Payments shall be presented in the same Manner as any Sums which Coroners are by the said recited Act authorized to grant to Medical Witnesses; provided that such Magistrates shall certify, as the Coroner is directed, the Amount and Particulars of all such Sums to the Presentment Sessions, and that such Payment shall have been approved thereat.

Remuneration to Medical Witnesses.

VII. And be it enacted, That the Power of any Judge of Assize to order and of Grand Juries to present, under the Provisions of the said Act, any Sum not exceeding Five Pounds for the Maintenance of deserted Children, shall extend to Cases where any Child shall have been left exposed and deserted before the passing of the said Act: Provided always, that such Presentment shall be applied for and levied and paid in the Manner by the said Act particularly directed.

Presentment for Maintenance of deserted Children.

VIII. And be it enacted, That the County Treasurers of the Cities and Towns in the Fifth and Sixth Classes of the Schedule marked (S.) to the said recited Act annexed shall (except in those Cases where the Grand Juries of such Cities and Towns shall, with the Consent of the Court, determine on paying such Officers by a Poundage on their Receipts,) be paid and remunerated for their respective Duties, Services, and Expences by annual Salaries only, payable half-yearly at each Assizes by equal Moieties, and not exceeding the Amount respectively limited in the said Schedule as the Salary of the Clerks of the Peace in the same Cities and Towns in each of the said Classes; and

Presentment for Salaries of Treasurers in Towns and Cities.

Proviso.

and the Grand Juries of such Cities and Towns at each Assizes shall and may present (without previous Application to Presentment Sessions) for each such Treasurer, to be raised off the County at large, the Moiety of such annual Salary : Provided always, that in case of any negligent or insufficient Discharge of Duty by any such Treasurer, it shall and may be lawful to and for the Grand Jury of any such City or Town, with the express Sanction of the Court, but not otherwise, to present any Sum or Sums less in the whole than the Moiety of the annual Salary hereby specified to be paid to such Treasurer, or to withhold or refuse to make any Presentment whatever for such Treasurer.

One Freeholder or Leaseholder from each Barony or Half Barony to be placed first on Grand Jury Panel in Counties having less than Ten Baronies or Half Baronies.

Proviso.

Sheriff liable to Fine for Neglect.

IX. And be it enacted, That the Sheriff of each County in *Ireland*, in which there are not Ten Baronies or Half Baronies, shall, in framing the Panel of Persons summoned to serve on the Grand Jury of such County at each Assizes, after the passing of this Act, observe the Rule herein-after following ; (that is to say,) he shall place first on such Panel for each Barony or Half Barony in such County the Name of some Person having in such Barony or Half Barony Freehold Lands of the yearly Value of Fifty Pounds and upwards, or Leasehold Lands of the yearly Value of One hundred Pounds over and above the Amount of Rent payable out of or for such Leasehold Lands, so that as far as can be One fit and competent Person having Lands of the Value aforesaid, and resident in each Barony, if the same can be found therein respectively, shall be placed upon such Panel ; and having in such Manner selected such One fit and proper Person for each Barony and Half Barony, the Sheriff shall complete the said Panel as now by Law authorized and directed, and the Persons taken from the Panel so framed shall be and constitute the Grand Jury or Inquest of such County ; any thing in any Writ, Precept, or Venire facias expressed or directed, or any Law, Statute, Usage, or Custom to the contrary notwithstanding, and as if such Grand Jury were altogether composed of Freeholders : Provided always, that no Presentment or Indictment made or found by any Grand Jury shall be liable to be traversed, quashed, or in any Manner impeached by reason of the Grand Jury not being selected as aforesaid ; but any Sheriff of such County who shall wilfully omit or neglect to follow the Rule hereby made for the Selection of the Grand Jury shall be liable, on a Complaint made to the Judge of Assize, to be fined such Sum as to such Judge shall seem proper.

Commissioners of Public Works may execute certain Works, or permit the Grand Jury to execute them.

X. And be it further enacted, That in all Cases in which, under the Powers vested in them by Law in that Behalf, the Commissioners of Public Works in *Ireland* shall agree with any Grand Jury to grant one Moiety of the Expence of any Road or other Public Work, on such Grand Jury securing the Payment of the other Moiety thereof by Presentment, it shall and may be lawful to and for the said Commissioners either to execute the said Work by Persons employed by them, or to permit such Grand Jury to execute the same in the Manner required by the said recited Act for other Public Works of the like Nature : Provided always, that it shall not be lawful for such Grand Jury in any Case to make a Presentment for Payment of such Moiety, except after and upon an Application for such Work duly made

made to and approved at a Presentment Sessions in the Manner required by the said Act.

XI. And be it further enacted, That, whenever the said Commissioners of Public Works in *Ireland* shall, under the Provisions of the said Act of the Sixth and Seventh of *William* the Fourth, or of the Act of the First and Second of *William* the Fourth, intituled *An Act for the Extension and Promotion of Public Works in Ireland*, have undertaken the Repair or Maintenance of any Public Road, it shall and may be lawful for the said Commissioners at all Times thereafter to exercise all and every the same Powers and Authorities which are now vested in the Surveyor of any County, or the Contractor for any Road, under and by virtue of the said Act of the Sixth and Seventh of *William* the Fourth, or otherwise howsoever, or as the said Commissioners by the Act of the Sixth of *George* the Fourth, Chapter One hundred and one, intituled *An Act to provide for the repairing, maintaining, and keeping in repair certain Roads and Bridges in Ireland*, as far as the said Commissioners may consider the same or any of them necessary for the Preservation and good Order of such Roads, and the Removal of all Nuisances thereon; as also for the Purpose of obtaining Materials for such Repairs or Maintenance which they shall have so undertaken.

Commissioners of Public Works may exercise the Powers now vested in County Surveyors, &c. 1 & 2 W. 4. c. 33.

6 G. 4. c. 101.

XII. And whereas Doubts have existed whether in Counties where the Grand Jury Cess is applotted upon both Lands and Houses, the High Constables or other Collectors of Grand Jury Cess in preparing certain Returns to be by them made and delivered to the Secretary of the Grand Jury, pursuant to the Directions of the said recited Act, ought to include in such Returns the Names of Persons occupying Houses; be it enacted, for the Removal of such Doubts, That in such Counties as aforesaid the High Constables or other Collectors of Grand Jury Cess shall, in preparing said Returns, include therein the Names of Persons in actual Occupation of Houses, in the same Manner in all respects as by the said recited Act they are directed to proceed in framing such Returns with respect to other Persons chargeable with Grand Jury Cess on account of other Property.

Collectors to include Occupiers of Houses in their Returns in Cases where Grand Jury Cess is applotted.

XIII. And whereas by the said recited Act it is amongst other things enacted, that the Grand Jury of every County shall at each Assizes appoint a proper Person resident in the Barony to be High Constable or Collector thereof: And whereas the said Enactment has been found inconvenient, so far as it requires that the High Constable or Collector shall reside within the Barony; be it therefore enacted, That it shall not be necessary that the Person so appointed to collect shall actually reside within the Barony, provided it shall appear to the Magistrates and Rate-payers assembled at the Sessions of the Barony, and to the Grand Jury, that his usual Place of Residence is sufficiently contiguous thereto; any thing in the said recited Act to the contrary in anywise notwithstanding.

Collector not necessarily resident within the Barony.

XIV. And whereas in the said recited Act it is enacted, that it shall be lawful for the several Grand Juries in *Ireland* and they are thereby required at each Assizes to appoint by Presentment certain Places,

Place for holding last Meeting of Sessions to be within

at Direction
of Grand
Jury

within their respective Counties, *viz.*, One in each Barony or Half Barony, where, and certain Times when, Presentment Sessions shall be successively holden previous to the next Assizes for such Counties respectively, for the Purposes set forth in said recited Act; and said recited Act enacts, that such Presentment shall appoint the last Meeting of such Sessions to be holden in the County Court House: And whereas in many Counties in *Ireland* the County Court House is not centrally situated in regard to the County; be it enacted, That it shall be lawful for the several Grand Juries and they are hereby required to appoint by Presentment the last Meeting of such Sessions to be holden either in the County Court House or such other Court House or Place as they may deem most conveniently situated for the Purpose; and the Presentment Sessions for the County at large shall be holden there; any Words in the said recited Act to the contrary notwithstanding.

Grand Jury
enabled to
re-present
Arrears to be
levied from
the Lands on
which they
accrued.

XV. And be it enacted, That it shall be lawful for any Grand Jury to re-present any such Sums of Money as now are or at any Time hereafter shall be unpaid or in arrear out of any Denomination Barony, County of a City or Town, to be raised and levied on such Denomination Barony, County of a City or Town, or on any Part or Portion thereof, upon which the same was originally required by the Treasurer's Warrant to be levied; and such Sums of Money so re-presented shall be levied in the same Manner, and subject to the same Rules, Regulations, Provisions, and Powers, as any other Sum of Money presented by any Grand Jury.

Contractors
to produce
Certificates
of County
Surveyor as
to due Ex-
ecution of
Contracts at
the Sessions
at which
they apply
for Payment.

XVI. And whereas the Time limited by the said recited Act for lodging with the Secretary of Grand Jury the Certificates of the due Execution of Works contracted for, or of the Performance of Contracts, which Contractors are by the said Act required to obtain from the County Surveyor previous to applying for Payment, has been found inconvenient; and it is expedient to amend the said Act in that respect; be it therefore enacted, That it shall be sufficient for such Contractors, and they are hereby required, to produce such Certificates as aforesaid at the Sessions at which they may apply for Payment; any thing in the said Act requiring such Certificates to be procured and lodged at any previous Time to the contrary notwithstanding.

Repeal of so
much of
former Act
as requires
the Necessity
of Repairs in
Cases of
Accident to
be notified
by County

XVII. And whereas by the said recited Act Two Justices of the Peace at Petty Sessions are empowered to order Sums not exceeding a certain Amount to be expended in repairing any Bridge or Road or Pier or Quay which may be suddenly damaged, and the Repairs of which cannot be delayed until the next Assizes without Prejudice to the Public, as in the said Act mentioned, but it is by the said Act required that the Necessity of such Repairs should be notified to such Justices by the County Surveyor: And whereas it is expedient to dispense with such previous Notification; be it therefore enacted, That so much of the said Act as requires a previous Notification of the Necessity of such Repairs as aforesaid on the Part of the County Surveyor to such Justices shall be and the same is hereby repealed: Provided that nothing herein contained shall be construed to dispense with the Certificate of the County Surveyor to be given after the Execution

Proviso.

Execution of the Work, that the Money appears to have been faithfully and honestly expended pursuant to the Order made by such Justices.

XVIII. And be it enacted, That the said recited Act of the last Session of Parliament, for consolidating and amending the Laws relating to the Presentment of Public Money by Grand Juries in *Ireland*, shall continue in full Force and Effect, save and except so far as the same is expressly repealed or altered by this Act; and that the said recited Act and this Act shall be construed together as One Act to all Intents and Purposes whatsoever.

Recited Act
6 & 7 W. 4.
c. 116. (ex-
cept as here-
by altered)
and this Act
to be con-
strued
together.

XIX. And be it enacted, That this Act shall only extend to that Part of the United Kingdom called *Ireland*.

Act to ex-
tend only to
Ireland.

XX. And be it further enacted, That this Act may be amended, altered, or repealed by any Act to be passed in the present Session of Parliament.

Act may be
altered.



ANNO SEPTIMO

GULIELMI IV. REGIS.

C A P. III.

An Act for transferring to the Commissioners of the Admiralty all Contracts, Bonds and other Securities entered into with the Postmaster General in relation to the Packet Service.

[18th *March* 1837.]

WHEREAS it has been deemed expedient that the Superintendence and Management of the Business relating to the Packets and other Vessels employed in conveying the Mails and Letters by Sea should be transferred from the Department of the Postmaster General to that of the Commissioners for executing the Office of Lord High Admiral of the United Kingdom of *Great Britain and Ireland*; and it is therefore become necessary, for the better Security of the Public, to provide for the Transfer to the said Commissioners of all the Interests, Powers, and Authorities at present existing in the Postmaster General, by virtue of any Contracts, Bonds and other Securities taken in his Department, as far as relates to the Packet Service and to the Persons employed therein: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act all the Interests, Powers, and Authorities at present existing in the Postmaster General under any Contract or Contracts entered into with him or any of his Predecessors in Office, or with any Person or

Powers and Authorities at present existing in the Postmaster

D

Persons

General
under any
Contract for
the Convey-
ance by Sea
of Mails and
Letters trans-
ferred to the
Admiralty.

Persons on his or their Behalf, by any Body Corporate or Company, or Person or Persons, for the Conveyance by Sea of Mails and Letters by Steam Boats or other Ships or Vessels, or under any Bond or Bonds given for the due Execution of any such Contracts, and also under any Bond or other Security entered into by any Agent, Officer, or other Person hitherto employed under the said Postmaster, or entered into by any of the Sureties of any such Persons, either for the due Execution of any such Contract, or for the due Execution of the Duty of any such Agent, Officer, or other Person employed as aforesaid, shall be transferred to and vested in the said Commissioners for executing the Office of Lord High Admiral aforesaid for the Time being, and shall be acted on, enforced, and carried into effect by such Commissioners in the same Manner as if they had been named in the same Contracts, Bonds, and Securities respectively instead of the Postmaster General; and all and every the Orders and Directions of the said Commissioners shall be as fully observed, obeyed, and performed by the Contractors, and by the said Agents and Officers respectively, as if the same had proceeded from and been issued and given by the Postmaster General.

LONDON : Printed by GEORGE EYRE and ANDREW SPOTTISWOODE,
Printers to the King's most Excellent Majesty. 1837.



ANNO SEPTIMO

GULIELMI IV. REGIS.

C A P. IV.

An Act to continue, until the First Day of *July*
One thousand eight hundred and thirty-seven,
the Powers of the Commissioners for inquiring
concerning Charities in *England* and *Wales*.
[18th *March* 1837.]

WHEREAS an Act was passed in the Fifth and Sixth Years
of the Reign of His present Majesty, intituled *An Act 5 & 6 W. 4.*
for appointing Commissioners to continue the Inquiries ^{c. 71.}
concerning Charities in England and Wales until the First Day of
March One thousand eight hundred and thirty-seven: And whereas
the Commissioners appointed under and by virtue of the said Act
have pursued the Inquiries thereby authorized and directed, and have
made Reports of their Proceedings; but further Time is required for
enabling them to complete their Inquiries: Be it therefore enacted
by the King's most Excellent Majesty, by and with the Advice and
Consent of the Lords Spiritual and Temporal, and Commons, in this
present Parliament assembled, and by the Authority of the same,
E That .

Recited Act
continued
until 1st July
1837.

That the said Act shall be and the same is hereby continued from the Expiration thereof until the First Day of *July* One thousand eight hundred and thirty-seven.

LONDON: Printed by GEORGE EYRE and ANDREW SPOTTISWOODE,
Printers to the King's most Excellent Majesty. 1837.



ANNO SEPTIMO

GULIELMI IV. REGIS.

C A P. V.

An Act for amending an Act of His late Majesty,
for restricting the Punishment of Leasing-making,
Sedition, and Blasphemy, in *Scotland*.

[18th *March* 1837.]

WHEREAS an Act. was passed in the Sixth Year of the
Reign of His late Majesty King *George* the Fourth,
intituled *An Act for restricting the Punishment of Leasing-* 6 G. 4. c. 47.
making, Sedition, and Blasphemy, in Scotland; whereby, upon a
Recital “that it is expedient that the Punishment of the Crimes of
Leasing-making, Sedition, and Blasphemy, as known in the Law of
Scotland, should be restricted, and that these Crimes should be punished
in the same Manner as such Crimes would be punished if committed
in *England*,” it was (among other things) enacted, “that if any
Person shall henceforth be convicted of any of the aforesaid Crimes,
such Person shall be liable to be punished only by Fine and Imprison-
ment, or both, at the Discretion of the Court before which such Person
shall be tried”; and it was by the said recited Act further enacted, “that
if any Person after being so convicted shall offend a Second Time, and
be thereof lawfully convicted, such Person may, on such Second Con-
viction, be adjudged, at the Discretion of the Court, either to suffer
the Punishment of Fine or Imprisonment, or both, or to be banished
from the United Kingdom and all other Parts of His Majesty’s
Dominions for such Term of Years as the Court in which such Con-
viction shall take place shall order”: And whereas an Act was passed

• 11 G. 4. &
1 W. 4. c. 73.

So much of
6 G. 4. c. 47.
as punish
Leasing-
making, &c.
by Banish-
ment, re-
pealed.

in the Eleventh Year of the Reign of His late Majesty King George the Fourth and First Year of the Reign of His present Majesty, intituled *An Act to repeal so much of an Act of the Sixtieth Year of the Reign of His late Majesty King George the Third, for the more effectual Prevention and Punishment of blasphemous and seditious Libels, as relates to the Sentence of Banishment for the Second Offence, and to provide some further Remedy against the Abuse of publishing Libels*, whereby so much and such Parts of the said Act of the Sixtieth Year of the Reign of His said Majesty King George the Third as related to the Sentence of Banishment for the Second Offence was wholly repealed: And whereas it is expedient that the Punishment of the Crimes of Leasing-making, Sedition, and Blasphemy under the Law of *Scotland* should be in like Manner restricted, and that these Crimes should be punished in the same Manner in *Scotland* as they would be punished if committed in *England*: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That so much and such Parts of the said recited Act of the Sixth Year of the Reign of His said late Majesty King George the Fourth as regard the Punishment by Banishment of any Person convicted a Second Time of any of the aforesaid Crimes of Leasing-making, Sedition, and Blasphemy, in *Scotland*, shall be and the same are hereby repealed.

LONDON: Printed by GEORGE EYRE and ANDREW SPOTTISWOODE,
Printers to the King's most Excellent Majesty. 1837.



ANNO SEPTIMO

GULIELMI. IV. REGIS.

C A P. VI.

An Act to apply the Sum of Two Millions to the Service of the Year One thousand eight hundred and thirty-seven. [22d March 1837.]

Most Gracious Sovereign,

WE, Your Majesty's most dutiful and loyal Subjects, the Commons of the United Kingdom of *Great Britain* and *Ireland*, in Parliament assembled, towards making good the Supply which we have cheerfully granted to Your Majesty in this Session of Parliament, have resolved to grant unto Your Majesty the Sum herein-after mentioned; and do therefore most humbly beseech Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That there shall and may be issued and applied, for or towards making good the Supply granted to His Majesty for the Service of the Year One thousand eight hundred and thirty-seven, the Sum of Two Millions, a Part of the Sum now remaining in the Exchequers of the United Kingdom of *Great Britain* and *Ireland*, or remaining to be received on the Twentieth Day of *February* One thousand eight hundred and thirty-seven, to complete the Aids granted by Parliament for the Service of the Year One thousand eight hundred and thirty-six and of antecedent Years; and the Commissioners of His Majesty's Treasury of the United Kingdom of *Great Britain* and *Ireland* now or for the Time being, or any Three or more of them,

There shall be applied, for the Service of the Year 1837, 2,000,000*l.* now remaining in the Exchequer.

26 :

. 7° GULIELMI IV. Cap.6.

or the Lord High Treasurer of the United Kingdom of *Great Britain* and *Ireland* for the Time being, are or is hereby authorized and empowered to issue and apply the same accordingly.

LONDON : Printed by GEORGE EYRE and ANDREW SPOTTISWOODE,
Printers to the King's most Excellent Majesty. 1837.



ANNO SEPTIMO

GULIELMI .IV. REGIS.

C A P. VII.

An Act for punishing Mutiny and Desertion, and
for the better Payment of the Army and their
Quarters. [21st April 1837.]

WHEREAS the raising or keeping a standing Army within the United Kingdom of *Great Britain* and *Ireland* in Time of Peace, unless it be with the Consent of Parliament, is against Law : And whereas it is adjudged necessary by His Majesty, and this present Parliament, that a Body of Forces should be continued, for the Safety of the United Kingdom, the Defence of the Possessions of His Majesty's Crown, and the Preservation of the Balance of Power in *Europe*, and that the whole Number of such Forces should consist of Eighty-one thousand three hundred and eleven Men, being Part of an Establishment of Eighty-nine thousand three hundred and forty-seven Men, exclusive of the Officers and Men belonging to the Regiments employed in the Territorial Possessions of the *East India* Company, but including the Officers and Men of the Troops and Companies recruiting for those Regiments : And whereas no Man can be forejudged of Life or Limb, or subjected in Time of Peace to any Kind of Punishment within this Realm, by Martial Law, or in any other Manner than by Judgment of his Peers and according to the known and established Laws of this Realm ; yet nevertheless, it being requisite, for the retaining all the before-mentioned Forces in their Duty, that an exact Discipline be observed, and that Soldiers who shall mutiny or stir up Sedition, or shall desert His Majesty's Service, be brought to a more exemplary and speedy

Number of
the Forces.

H Punishment.

Crimes
punishable
by Death:

Punishment than the usual Forms of the Law will allow : Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That if any Person who is or shall be commissioned or in Pay as an Officer, or who is or shall be listed or in Pay as a Non-commissioned Officer or Soldier, shall, at any Time during the Continuance of this Act, begin, excite, cause, or join in any Mutiny or Sedition in His Majesty's Land or Marine Forces, or shall not use his utmost Endeavours to suppress the same, or coming to the Knowledge of any Mutiny or intended Mutiny shall not, without Delay, give Information thereof to his Commanding Officer ; or shall misbehave himself before the Enemy ; or shall shamefully abandon or deliver up any Garrison, Fortress, Post, or Guard committed to his Charge, or which he shall be commanded to defend ; or shall compel the Governor or Commanding Officer of any Garrison, Fortress, or Post to deliver up to the Enemy, or to abandon the same ; or shall speak Words or use any other Means to induce such Governor or Commanding Officer, or others, to misbehave before the Enemy, or shamefully to abandon or deliver up any Garrison, Fortress, Post, or Guard committed to their respective Charge, or which he or they shall be commanded to defend ; or shall leave his Post before relieved, or shall be found sleeping on his Post ; or shall hold Correspondence with or give Advice or Intelligence to any Rebel or Enemy of His Majesty, either by Letters, Messages, Signs, or Tokens, in any Manner or Way whatsoever ; or shall treat or enter into any Terms with such Rebel or Enemy without His Majesty's Licence or Licence of the General or Chief Commander ; or shall strike or shall use or offer any Violence against his Superior Officer, being in the Execution of his Office, or shall disobey any lawful Command of his Superior Officer ; or shall desert His Majesty's Service ; all and every Person and Persons so offending in any of the Matters before mentioned, whether such Offence shall be committed within this Realm, or in any other of His Majesty's Dominions, or in Foreign Parts, upon Land or upon the Sea, shall suffer Death or such other Punishment as by a Court-martial shall be awarded.

The ordinary
Course of
Law not to
be interfered
with.

II. And be it enacted, That nothing in this Act contained shall be construed to exempt any Officer or Soldier from being proceeded against by the ordinary Course of Law ; and any Commanding Officer who shall neglect or refuse, when Application is made to him for that Purpose, to deliver over to the Civil Magistrate any Officer or Soldier accused of any Capital Crime, or of any Violence or Offence against the Person, Estate, or Property of any of His Majesty's Subjects, which is punishable by the known Laws of the Land, or shall wilfully neglect or refuse to assist the Officers of Justice in apprehending such Offender, shall, upon Conviction thereof in any Prosecution in any of His Majesty's Courts at *Westminster*, *Dublin*, or *Edinburgh*, be deemed to be *ipso facto* cashiered, and shall be utterly disabled to have or hold any Civil or Military Office or Employment within the United Kingdom of *Great Britain* and *Ireland*, or in His Majesty's Service, and a Certificate thereof shall be transmitted to the Judge Advocate in *London* ; provided that no Person, being acquitted or convicted of any

any Capital Crime, Violence, or Offence, by the Civil Magistrate, or by the Verdict of a Jury, shall be liable to be punished by a Court-martial for the same otherwise than by cashiering.

III. And be it enacted, That no Person whatever enlisted into His Majesty's Service as a Soldier shall be liable to be arrested or taken therefrom, by reason of the Warrant of any Justice or other Process, for not supporting, or for leaving chargeable on any Parish, Township, or Union, any Wife or any Child or Children, or (except in the Case of an Apprentice) on account of any Breach of Contract, Engagement to serve or work for any Employer; and no Person enlisted as a Soldier, or serving as a Non-commissioned Officer or Drummer on the permanent Staff of the disembodied Militia, shall be liable to be taken out of His Majesty's Service by any Process or Execution whatsoever, other than for some Criminal Matter, unless an Affidavit shall be made by the Plaintiff, or some one on his Behalf, for which no Fee shall be taken, before some Judge of the Court out of which such Process or Execution shall issue, or before some Person authorized to take Affidavits in such Courts, of which Affidavit a Memorandum shall, without Fee, be indorsed upon the Back of such Process, that the original Debt for which the Action has been brought or Execution sued out amounts to the Value of Thirty Pounds at least, over and above all Costs of Suit in the Action or Actions on which the same shall be grounded; and any Judge of such Court may examine into any Complaints made by a Soldier, or by his Superior Officer, and by Warrant under his Hand discharge such Soldier without Fee, he being shown to be duly enlisted, and to have been arrested contrary to the Intent of this Act, and shall award reasonable Costs to such Complainant, who shall have for the Recovery thereof the like Remedy as would have been applicable to the Recovery of any Costs which might have been awarded against the Complainant in any Judgment or Execution as aforesaid, provided that any Plaintiff, upon Notice of the Cause of Action first given in Writing to any Soldier, or left at his last Place of Residence before such Listing, may file a Common Appearance in any Action to be brought for or upon account of any Debt whatsoever, and proceed therein to Judgment and Outlawry, and have Execution other than against the Body.

Soldiers not to be taken away from the Service for Debts under 30l

IV. And be it enacted, That it shall be lawful for His Majesty to make Articles of War for the better Government of His Majesty's Forces, which Articles shall be judicially taken notice of by all Judges and in all Courts whatsoever; and Copies of the same, printed by the King's Printer, shall, as soon as conveniently may be after the same shall have been made and established by His Majesty, be transmitted by His Majesty's Secretary at War, signed with his own Hand and Name, to the Judge of His Majesty's Superior Courts at *Westminster*, *Dublin*, and *Edinburgh* respectively, and also to the Governors of His Majesty's Dominions Abroad; provided that no Person within the United Kingdom of *Great Britain* and *Ireland*, or the *British Isles*, shall by such Articles of War be subject to be transported as a Felon, or to suffer any Punishment extending to Life or Limb, except for Crimes which are by this Act expressly made liable to such Transportation

The King may make Articles of War in conformity with this Act.

Transportation or to such Punishment as aforesaid, or to be punished in any Manner or under any Regulations which shall not accord with the Provisions of this Act.

Constitution
of Courts-
martial.

V. And be it enacted, That His Majesty may from Time to Time grant a Commission, under the Royal Sign Manual, for the holding of General Courts-martial within the United Kingdom of *Great Britain* and *Ireland*, in like Manner as has been heretofore used; and that for bringing Offenders against the Articles of War to Justice it shall be lawful for His Majesty to erect and constitute Courts-martial within the United Kingdom of *Great Britain* and *Ireland*, as well as to grant His Royal Commissions or Warrants to the Chief Governor or Governors of *Ireland*, the Commander of the Forces, or the Person or Persons commanding in chief, or commanding for the Time being any Body of His Majesty's Forces, as well within the United Kingdom of *Great Britain* and *Ireland*, and the *British* Isles, as in any of His Majesty's Garrisons and Dominions or elsewhere beyond the Seas, for convening, as well as for authorizing any Officer under their respective Command not below the Degree of a Field Officer to convene, Courts-martial, as Occasion may require, for the Trial of Offences committed by any of the Forces under their several Command, whether the same shall have been committed before or after such Officer shall have taken upon himself such Command; and any Person subject to this Act, who shall in any of His Majesty's Dominions or elsewhere commit any of the Offences for which he may be liable to be tried by Courts-martial by virtue of this Act, may be tried and punished for the same in any Part of His Majesty's Dominions where he may have come after the Commission of the Offence, vs if the Offence had been committed where such Trial shall take place.

Composition
of General
Courts-mar-
tial.

VI. And be it enacted, That a General Court-martial convened in any Part of the King's Dominions, (*Bermuda*, the *Bahamas*, *Africa*, and the *Australian* Colonies excepted,) or in the Settlements of the *East India* Company, shall consist of not less than Thirteen Commissioned Officers; if convened in *Bermuda* or the *Bahamas*, or out of the King's Dominions excepting *Africa* and the *Australian* Colonies, shall consist of not less than Seven, and in *Africa* and the *Australian* Colonies of not less than Five Commissioned Officers; and no Judgment of Death shall pass without the Concurrence of Two Thirds at the least of the Officers present; and the President shall in no Case be the Officer commanding in chief or Governor of the Garrison where the Offender shall be tried, nor under the Degree of a Field Officer, unless where a Field Officer cannot be had, nor in any Case whatsoever under the Degree of a Captain.

Powers of
General
Courts-mar-
tial.

VII. And be it enacted, That a General Court-martial may sentence any Soldier to Imprisonment, with or without hard Labour, in any public Prison, or other Place which the Court or the Officer commanding the Regiment or Corps to which the Offender belongs or is attached shall appoint, and may also direct that such Offender shall be kept in solitary Confinement for the Whole or any Portion or Portions of such Imprisonment, or of such Imprisonment with

hard Labour, or may sentence any Soldier to Corporal Punishment, not extending to Life or Limb, for Immorality, Misbehaviour, and Neglect of Duty; and a General Court-martial may, in addition to any such Punishment as aforesaid, sentence any Offender to Forfeiture of all Advantage as to additional Pay, and Pension on Discharge; and whensoever any General Court-martial by which any Soldier shall have been tried and convicted of any Offence punishable with Death shall not think the Offence deserving of Capital Punishment, such Court-martial may, instead of awarding a Corporal Punishment or Imprisonment, adjudge the Offender, according to the Degree of the Offence, to be transported as a Felon for Life or for a certain Term of Years, or may sentence him to general Service as a Soldier in any Corps and in any Country or Place which His Majesty shall thereupon direct, or may, if such Offender shall have enlisted for a limited Term of Years, sentence him to serve for Life as a Soldier in any Corps which His Majesty shall please to direct; and the Court may, in addition to any other Punishment, sentence such Offender to forfeit all Advantage as to Increase of Pay, or as to Pension on Discharge, which might otherwise have accrued to such Offender; provided that in all Cases where a Capital Punishment shall have been awarded by a General Court-martial it shall be lawful for His Majesty, or, if in the *East Indies*, for the Officer commanding in chief the Forces at the Presidency to which the Offender shall belong, instead of causing such Sentence to be carried into execution, to order the Offender to be transported as a Felon, either for Life or for a certain Term of Years, as shall seem meet to His Majesty, or, if in the *East Indies*, to the Officer commanding as aforesaid.

VIII. And be it enacted, That every Paymaster or other Commissioned Officer of His Majesty's Forces, or any Person employed in the Ordnance or Commissariat Department, or in any Manner in the Care or Distribution of any Money, Provisions, Forage, or Stores, who shall embezzle or fraudulently misapply, or be concerned in or connive at the Embezzlement, fraudulent Misapplication, or Damage of any Money, Provisions, Forage, Arms, Clothing, Ammunition, or other Military Stores belonging to His Majesty's Forces or for His Use, may be tried for the same by a General Court-martial, which may adjudge any such Offender to be transported as a Felon for Life or for any certain Term of Years, or to suffer such Punishment of Fine, Imprisonment, Dismissal from His Majesty's Service, and Incapacity of serving His Majesty in any Office, Civil or Military, as such Court shall think fit, according to the Nature and Degree of the Offence; and every such Offender shall, in addition to any other Punishment, make good at his own Expence the Loss and Damage sustained, which shall have been ascertained by such Court-martial; and the Loss and Damage so ascertained as aforesaid shall be a Debt to His Majesty, and may be recovered in any of His Majesty's Courts at *Westminster* or in *Dublin*, or the Court of Exchequer in *Scotland*, or in any Court in His Majesty's Colonies where a Person sentenced by such Court-martial shall be resident, after the said Judgment shall be confirmed and made known.

Trial by General Court-martial for Embezzlement.

District or
Garrison
Courts-
martial.

IX. And be it enacted, That a District or Garrison Court-martial shall consist of not less than Seven Commissioned Officers, except in *Bermuda*, the *Bahamàs*, *Africa*, and the *Australian Colonies*, where it may consist of not less than Five Commissioned Officers, and may sentence any Soldier to any Imprisonment, with or without hard Labour, in any public Prison or other Place which such Court, or the Officer commanding the Regiment or Corps to which the Offender belongs or is attached, shall appoint, and may also direct that such Offender shall be kept in solitary Confinement for the Whole or any Portion or Portions of such Imprisonment, or of such Imprisonment with hard Labour, or may sentence any Soldier to Corporal Punishment, not extending to Life or Limb, for Immorality, Misbehaviour, or Neglect of Duty; and such Court may, in addition to either of the said Punishments, sentence a Soldier to Forfeiture of all Advantage as to additional Pay, and to Pension on Discharge, for disgraceful Conduct,

In wilfully maiming or injuring himself, or any other Soldier, at the

Instance of such Soldier, with Intent to render himself or such

Soldier unfit for Service :

In tampering with his Eyes :

In malingering, feigning Disease, absenting himself from Hospital whilst under Medical Care, or other gross Violation of the Rules of any Hospital, thereby wilfully producing or aggravating Disease or Infirmary, or wilfully delaying his Cure :

In purloining or selling Government Stores :

In stealing any Money or Goods, the Property of a Comrade, of a Military Officer, or of any Military or Regimental Mess :

In producing false or fraudulent Accounts or Returns :

In embezzling or fraudulently misapplying Public Money entrusted to him :

Or in committing any petty Offence of a felonious or fraudulent Nature, to the Injury of or with Intent to injure any Person, Civil or Military :

Or for any other disgraceful Conduct, being of a cruel, indecent, or unnatural Kind :

And such Offender may be further put under Stoppages, not exceeding Two Thirds of his daily Pay, until the Amount be made good of any Loss or Damage arising out of his Misconduct; and if any Soldier shall be convicted of any such disgraceful Conduct, and shall be sentenced to Forfeiture of his Claim to Pension, the Court may further recommend him to be discharged with Ignominy from His Majesty's Service; and any such Court shall deprive a Soldier, if convicted of a Charge of habitual Drunkenness, of his Liquor when issued in Kind, or of his Allowance in lieu of Beer or Liquor, or of such Proportion thereof, or of such Portion of his additional or regular Pay, for such Period, not exceeding Two Years, as may accord with His Majesty's Articles of War, subject to Restoration on subsequent good Conduct; and in addition to any such Punishment, the Court may, if it shall think fit, sentence such Offender to Imprisonment or to Corporal Punishment; provided that in all the foregoing Cases the Sentences of a District or Garrison Court-martial shall be confirmed by the General Officer, Governor, or Senior Officer in

in command of the District, Garrison, Island, or Colony; and the President of every Court-martial, other than a General Court-martial, not being under the Rank of Captain, shall be appointed by the Officer convening such Court-martial; provided that such Court-martial shall not have Power to pass any Sentence of Death or Transportation.

X. And be it enacted, That in Cases of Mutiny and gross Insubordination, or any Offences committed on the Line of March, the Offence may be tried by a Regimental Court-martial, and the Sentence confirmed and carried into execution on the Spot by the Officer in the immediate Command of the Troops, provided that the Sentence shall not exceed that which a Regimental Court-martial is competent to award; and a Regimental Court-martial may sentence any Soldier to Imprisonment, with or without hard Labour, for any Period not exceeding Thirty Days, and to solitary Confinement for any Period not exceeding Twenty Days; and whenever any such Court-martial shall sentence any Soldier to Imprisonment as aforesaid it may (if it shall think fit) direct that he be kept in solitary Confinement for a certain Portion or Portions of the Period of such Imprisonment: Provided always, that when such Court shall direct the Imprisonment to be part solitary and part otherwise, the whole Period of such Imprisonment, including the solitary Part thereof, shall not exceed Twenty Days; and a Regimental Court-martial may sentence any Soldier for being drunk when on or for Duty or Parade, or on the Line of March, to be deprived of a Penny a Day of his Pay for any Period not exceeding Thirty Days, in addition to any other Punishment which such Court may award.

Regimental
Court-mar-
tial.

XI. And be it enacted, That every Soldier who shall be found guilty of Desertion by a General, or District, or Garrison Court-martial, where such Findings shall be duly approved, or of Felony in any Court of Civil Judicature, shall thereupon forfeit all Advantage as to additional Pay, and to Pension on Discharge, in addition to any Punishment which such Court may award; and it shall be lawful for any Court-martial empowered to try the Crime of Desertion, in addition to any other Punishment, to direct that the Offender be marked on the Left Side, Two Inches below the Arm-pit, with the Letter (D.), such Letter not to be less than an Inch long, and to be marked upon the Skin with some Ink or Gunpowder, or other Preparation, so as to be visible and conspicuous, and not liable to be obliterated.

Marking a
Deserter.

XII. And be it enacted, That it shall be lawful for any Officer commanding any District, Detachment, or Portion of His Majesty's Troops which may at any Time be serving out of His Majesty's Dominions, upon Complaint made to him of any Offence committed against the Property or Person of any Inhabitant of or Resident of any such Countries, by any Person serving with or belonging to His Majesty's Armies, being under the immediate Command of any such Officer, to summon and cause to assemble a Court-martial, which shall consist of not less than Three Officers, for the Purpose of trying any.

Powers of a
Detachment
Court-mar-
tial.

any such Person, notwithstanding any such Officer shall not have received any Warrant empowering him to assemble Courts-martial; and every such Court-martial shall have the same Powers in regard to summoning and examining Witnesses, Trial of and Sentence upon Offenders, as are granted by this Act to General Courts-martial; provided that no Sentence of any such Court-martial shall be executed until the General commanding in chief the Army to which the Division, Brigade, Detachment, or Party to which any Person so tried, convicted, and adjudged to suffer Punishment shall belong, shall have approved and confirmed the same.

Mixture of
Officers upon
Courts-mar-
tial.

XIII. And be it enacted, That in certain Cases, where it may be necessary or expedient, Officers of His Majesty's Marine Forces may sit upon Courts-martial in conjunction with Officers of His Majesty's Land Forces, and such Courts-martial shall be regulated, to all Intents and Purposes, in like Manner as if they were composed of Officers of the Land Forces only, whether the Commanding Officer by whose Orders such Court-martial is assembled belongs to the Land or to the Marine Forces; and Officers of His Majesty's Land Forces, and Officers in the Service of the *East India* Company, when serving together, may be associated in Courts-martial, which shall, to all Intents and Purposes, be regulated in like Manner as if consisting wholly of Officers of His Majesty's Land Forces, or wholly of Officers in the Service of the *East India* Company; save and except that on the Trial of any Person in His Majesty's Land Forces, the Provisions of this Act, and the Oaths thereby prescribed, shall be applicable; and that on the Trial of any Person belonging to His Majesty's Marine Forces, the Provisions of an Act passed in the present Session of Parliament for the Regulation of His Majesty's Royal Marine Forces while on Shore, and the Oaths thereby prescribed, shall be applicable; and on the Trial of any Officer or Soldier in the Service of the *East India* Company, the Provisions of an Act passed in the Fourth Year of the Reign of His late Majesty King *George* the Fourth, to amend the Laws for punishing Mutiny and Desertion of Officers and Soldiers in the Service of the *East India* Company, and the Oaths thereby prescribed, shall be applicable, notwithstanding any Officer in the actual Service of the said Company may have a Commission from His Majesty.

Power to
administer
Oaths.

XIV. And be it enacted, That all General and other Courts-martial shall have Power and Authority and are hereby required to administer an Oath to every Witness or other Person who shall be examined before such Court in any Matter relating to any Proceedings before the same.

Proceedings
of Courts-
martial.

XV. And be it enacted, That in all Trials by General Courts-martial to be held by virtue of this Act every Member assisting at such Trial, before any Proceeding be had thereon, shall take the Oath in the Schedule to this Act annexed, before the Judge Advocate or his Deputy, or Person officiating as such, and on Trials by other Courts-martial before the President of such Court, who are hereby respectively authorized to administer the same, and any sworn Member shall administer the Oath to the President; and as soon as

the said Oaths shall have been administered to the respective Members, the President of the Court is hereby authorized and required to administer to the Judge Advocate, or the Person officiating as such, the Oath in the Schedule to this Act annexed; and no Proceeding or Trial shall be had upon any Offence but between the Hours of Eight of the Clock in the Morning and Four in the Afternoon, except in Cases which require an immediate Example, and except in the *East Indies*, where such Proceedings or Trial may be had between the Hours of Six in the Morning and Four in the Afternoon: Provided also, that all Witnesses duly summoned by the Judge Advocate, or the Person officiating as such, or by the President of a District or Garrison Court-martial, shall, during their necessary Attendance in such Courts, and in going to and returning from the same, be privileged from Arrest, and shall, if unduly arrested, be discharged by the Court out of which the Writ or Process issued by which such Witness was arrested, or if such Court be not sitting, then by any Judge of the Court of King's Bench in *London* or in *Dublin*, or the Court of Session in *Scotland*, or Courts of Law in the *East* or *West Indies* or elsewhere, according as the Case shall require, upon its being made to appear to such Court or Judge, by any Affidavit in a summary Way, that such Witness was arrested in going to or returning from or attending upon such Court-martial; and that all Witnesses so duly summoned as aforesaid who shall not attend on such Courts, or attending shall refuse to be sworn, or, being sworn, shall refuse to give Evidence or to answer all such Questions as the Court may legally demand of them, shall be liable to be attached in the Court of King's Bench in *London* or *Dublin*, or the Court of Session, or Sheriff Depute or Stewarts Depute, or their respective Substitutes, within their several Shires and Stewartries in *Scotland*, or Courts of Law in the *East* or *West Indies*, or in any of His Majesty's Colonies, Garrisons, or Dominions in *Europe* or elsewhere respectively, upon Complaint made, in like Manner as if such Witness had neglected to attend in a Trial in any Proceeding in that Court.

XVI. And be it enacted, That no Officer or Soldier, being Appeal. acquitted or convicted of any Offence, shall be liable to be tried a Second Time by the same or any other Court-martial for the same Offence, unless in the Case of an Appeal from a Regimental to a General Court-martial; and that no Finding, Opinion, or Sentence given by any Court-martial, and signed by the President thereof, shall be liable to be revised more than once; and no Witness shall be examined nor shall any additional Evidence be received by the Court on such Revision.

XVII. And be it enacted, That every Judge Advocate, or Person Report of
Proceedings
of General
Courts-mar-
tial.
officiating as such at a General Court-martial, or the President of any District or Garrison Court-martial, is required to transmit, with as much Expedition as the Opportunity of Time and Distance of Place can admit, the original Proceedings and Sentence thereof to the Judge Advocate General in *London*, in whose Office they shall be carefully preserved; and any Person tried by a General Court-martial, or any Person in his Behalf, shall be entitled, on Demand, to
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a Copy of such Sentence and Proceedings (paying reasonably for the same), whether such Sentence shall be approved or not, at any Time not sooner than Six Months if the Trial took place at *Gibraltar* or in the *Mediterranean*, Three Months if at any other Station within *Europe*, and Twelve Months if elsewhere, in His Majesty's Dominions; provided that such Demand as aforesaid shall have been made within the Space of Three Years from the Date of the Approval or other final Decision upon the Proceedings before such General Court-martial.

Transporta-
tion from the
United King-
dom.

XVIII. And be it enacted, That whenever His Majesty shall intend that any Sentence of Transportation heretofore or hereafter passed by any Court-martial shall be carried into execution for the Term specified in such Sentence or for any shorter Term, or shall be graciously pleased to commute as aforesaid to Transportation any Sentence of Death passed by any such Court, the same, together with His Majesty's Pleasure thereupon, shall be notified in Writing by the Officer commanding in chief His Majesty's Forces in *Great Britain* and *Ireland*, or in the temporary Absence of such Officer by the Adjutant General, or when there shall not be any Commander-in-Chief of His Majesty's Forces in *Great Britain* and *Ireland*, then by the Secretary at War or his Deputy, to any Judge of the King's Bench, Common Pleas, or Exchequer in *England* or *Ireland*, and thereupon such Judge shall make an Order for the Transportation of such Offender in conformity with such Notification, and shall also do all such other Acts consequent upon the same as such Judge is authorized to do by any Act in force touching the Transportation of other Offenders; and the Person in whose Custody such Offender shall at that Time be, and all other Persons whatsoever whom the said Order may concern, shall be bound to obey and shall be assistant in the Execution thereof, and shall be liable to the same Punishment for Disobedience, or for interrupting the Execution of the same, as if the Order had been made under the Authority of any such Act as aforesaid; and every Person so ordered to be transported shall be subject to every Provision made by Law and in force concerning Persons convicted of any Crime and under Sentence of Transportation; and from the Time when such Order of Transportation shall be made every Act now in force touching the Escape of Felons, or their afterwards returning, or their being at large without Leave, shall apply to such Offender, and to all Persons aiding and abetting, contriving, or assisting in any Escape or intended Escape or the returning without Leave of any such Offender; and the Judge who shall make any Order of Transportation as aforesaid shall direct the Notification of His Majesty's Pleasure, and his own Order made thereupon, to be filed and kept of Record in the Office of the Clerk of the Crown of the Court of King's Bench; and the said Clerk shall have a Fee of Two Shillings and Sixpence only for filing the same, and shall, on Application, deliver a Certificate in Writing (not taking more than Two Shillings and Sixpence for the same) to such Offender, or to any Person applying in his or His Majesty's Behalf, showing the Christian and Surname of such Offender, his Offence, the Place where the Court was held before whom he was convicted, and the Conditions on which the Order of Transportation was given; which Certificate shall

be sufficient Proof of the Conviction and Sentence of such Offender, and also of the Terms on which such Order for his Transportation was given, in any Court and in any Proceeding wherein it may be necessary to inquire into the same.

XIX. And be it enacted, That whenever any Sentence of Transportation heretofore or hereafter passed by any Court-martial holden in the *East Indies*, or in any Part of His Majesty's Foreign Dominions, is to be carried into execution for the Term specified in such Sentence or for any shorter Term, or when Sentence of Death has been or shall as aforesaid be commuted to Transportation, the same shall be notified by the Officer commanding in chief His Majesty's Forces at the Presidency or Station, or in his Absence by the Adjutant General for the Time being, to some Judge of one of the Supreme Courts of Judicature in the *East Indies*, or Chief Justice, or some other Judge, as the Case may be, in any Part of His Majesty's Foreign Dominions, who shall make Order for the Transportation or intermediate Custody of such Offender, in like Manner as for the Transportation or intermediate Custody of any other Convict; and the necessary Proceedings shall be taken, according to such Order, for the Transportation or intermediate Custody of such Offender; and all Acts in force in such Place touching other Offenders to be transported shall in all respects apply as well to the Offender himself so to be transported, as to all other Persons whatsoever therein concerned.

Transportation from the Colonies.

XX. And be it enacted, That all Crimes and Offences which have been committed against any former Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters, or against any of the Articles of War made and established by virtue of the same, may, during the Continuance of this Act, be inquired of and punished in like Manner as if they had been committed against this Act; and every Warrant for holding any Court-martial under any former Act shall remain in full Force notwithstanding the Expiration of such Act, and all Proceedings of any Court-martial upon any Trial begun under the Authority of such former Act shall not be discontinued by the Expiration of the same; provided that no Person shall be liable to be tried and punished for any Offence against any of the said Acts or Articles of War which shall appear to have been committed more than Three Years before the issuing of the Commission or Warrant for such Trial, unless the Person accused, by reason of his having absented himself, or of some other manifest Impediment, shall not have been amenable to Justice within that Period, in which Case such Person shall be liable to be tried at any Time not exceeding Two Years after the Impediment shall have ceased.

Offences against former Mutiny Acts may be tried under this Act.

XXI. And be it enacted, That every Soldier shall be liable to be tried and punished for Desertion from any Corps into which he may have enlisted, or from His Majesty's Service, although he may of right belong to the Corps from which he shall have originally deserted; and if such Person shall be claimed as a Deserter by the Corps to which he originally belonged, and be tried as a Deserter there-

Subsequent Enlistment no Protection from Punishment for Desertion.

therefrom, or shall be tried as a Deserter from any other Corps into which he may have enlisted, or if he shall be tried while actually serving in some Corps for Desertion from any other Corps, every Desertion previous or subsequent to that for which he shall be under Trial, as well as every previous Conviction for any other Offence, may be given in Evidence against him; and in like Manner in the Case of any Soldier tried for any Offence whatever, any previous Convictions may be given in Evidence against him; provided that no such Evidence shall in any Case be received until after the Prisoner shall have been found guilty of such Offence, and then only for the Purpose of affixing Punishment; and provided also, that after he shall so have been found guilty, and before such Evidence shall be received, it shall be proved to the Satisfaction of the Court that he had previously to his Trial received Notice of the Intention to produce such Evidence on the same; and provided further, that the Court shall in no Case award to him any greater or other Punishment or Punishments than may by this Act and by the Articles of War be awarded for the Offence of which he shall so have been found guilty.

Apprehen-
sion of
Deserters.

XXII. And be it enacted, That it shall be lawful for the Constable of any Place where any Person reasonably suspected to be a Deserter shall be found, or of any adjoining Place, and if no such Constable can be immediately met with, then for any Officer or Soldier in His Majesty's Service, to apprehend or cause such suspected Person to be apprehended, and to cause him to be brought before any Justice living in or near such Place, and acting for the same or any adjoining County, who hath hereby Power to examine such suspected Person; and if by his Confession, or the Testimony of One or more Witnesses upon Oath, or by the Knowledge of such Justice, it shall appear that such suspected Person is a Soldier, and ought to be with the Corps to which he belongs, such Justice shall forthwith cause him to be conveyed to some public Prison in such Place, or if there be no public Prison in such Place, then, at the Discretion of such Justice of the Peace, to the nearest or most convenient public Prison in the same or any next adjoining County, or to the Provost Marshal in case such Deserter shall be apprehended within the City or Liberties of *Dublin* or Places adjacent; or if such Deserter shall be apprehended by any Party of Soldiers of his own Regiment, or shall be apprehended in the Vicinity of the Head Quarters or of any Depôt of the Regiment to which he shall belong, then such Justice may deliver such Deserter to the Party of his Regiment, or may order such Deserter to be taken to the Head Quarters or Depôt of the Regiment to which he shall belong, instead of committing him to Prison; and such Justice shall transmit an Account thereof, in the Form prescribed in the Schedule annexed to this Act, to the Secretary at War, specifying at the Foot thereof the Commitment to Prison, or Delivery of such Deserter to the Party of his Regiment in order for his being taken to the Head Quarters or Depôt of his Regiment, as the Case may be, to the end that such Person may be removed by an Order from the Office of the said Secretary at War, and proceeded against according to Law; and such Justice shall also send to the Secretary

tary at War a Report, stating the Names of the Persons by whom the Deserter was apprehended and secured; and the Secretary at War shall transmit to such Justice an Order for the Payment to such Persons of such Sum, not exceeding Forty Shillings, as the Secretary at War shall be satisfied they are entitled to, according to the true Intent and Meaning of this Act: Provided also, that the Fee or Reward taken by any Justice or his Clerk, in respect of any Information, Commitment, or Report as aforesaid, shall in no Case exceed the Sum of Two Shillings.

XXIII. And be it enacted, That any Person who shall voluntarily deliver himself up as a Deserter from His Majesty's Forces, or the embodied Militia, or the Forces of the *East India* Company, or who, upon being apprehended for any Offence, shall, in the Presence of the Justice, confess himself to be a Deserter as aforesaid, shall be deemed to have been duly enlisted and to be a Soldier, and shall be liable to serve in any of His Majesty's Forces, as His Majesty shall think fit to appoint, whether such Person shall have been ever actually enlisted as a Soldier or not; and in case such Person shall not be a Deserter from the Regiment stated in such Confession he shall be liable to be punished as a Rogue and Vagabond, or may be prosecuted and punished for obtaining Money under false Pretences; and the Confession and receiving Subsistence as a Soldier by such Person shall be Evidence of the false Pretence and of the obtaining Money to the Amount of the Value of such Subsistence, and the Value of such Subsistence so obtained may be charged in the Indictment as so much Money received by such Person; and in case such Person shall have been previously convicted of the like Offence, or as a Rogue and Vagabond for making a fraudulent Confession of Desertion, such former Conviction may be alleged in the Indictment, and may be proved upon the Trial of such Person; and in such Indictment for a Second Offence it shall be sufficient to state that the Offender was at a certain Time and Place convicted of obtaining Money under false Pretences as a Deserter, or as a Rogue and Vagabond for making a fraudulent Confession of Desertion, without otherwise describing the said Offence; and a Certificate containing the Substance and Effect only (omitting the formal Part) of the Indictment and Conviction for the former Offence, purporting to be signed by the Clerk of the Court or other Officer having the Custody of the Records of the Court where the Offender was first convicted, or by the Deputy of such Clerk, or by the Clerk of the convicting Magistrates, shall, upon Proof of the Identity of the Person of the Offender, be sufficient Evidence of the First Conviction, without Proof of the Signature or official Character of the Person appearing to have signed the same; and if the Person so confessing himself to be a Deserter shall be serving at the Time in any of His Majesty's Forces, he shall be deemed to be and shall be dealt with as a Deserter.

Fraudulent
Confession
of Desertion.

XXIV. And be it enacted, That any Recruit who shall desert prior to joining the Regiment for which he has enlisted shall, on being apprehended, and committed for such Desertion by any Justice of the Peace upon the Testimony of One or more Witnesses upon Oath,

Recruits de-
serting liable
to be trans-
ferred to the
nearest Regi-
ment of De-
pôt.

Oath, or upon his own Confession, be liable to be transferred to any Regiment or Depôt nearest to the Place where he shall have been apprehended, or to any other Regiment to which His Majesty may deem it more desirable that he should be transferred: Provided always, that all Cavalry Recruits so committed for Desertion shall be transferred to Cavalry Regiments, and Infantry Recruits to Infantry Regiments; and that such Deserters thus transferred shall not be liable to other Punishment for the Offence, nor to any other Penalty, except the Forfeiture of their personal Bounty, reserving only for them that Part of the Bounty which is applicable to and required for the Provision of Necessaries.

Penalty for inducing or assisting to desert.

XXV. And be it enacted, That every Person who shall, in any Part of His Majesty's Dominions, directly or indirectly persuade any Soldier to desert, shall suffer such Punishment by Fine or Imprisonment, or both, as the Court before which the Conviction may take place shall adjudge; and every Person who shall assist any Deserter, knowing him to be such, in deserting or in concealing himself, shall forfeit for every such Offence the Sum of Twenty Pounds.

Penalty for forcible Entry.

XXVI. And be it enacted, That every Commissioned Officer who shall, without Warrant from One or more of His Majesty's Justices, forcibly enter into or break open the Dwelling House or Outhouses of any Person whomsoever, under Pretence of searching for Deserters, shall, upon due Proof thereof, forfeit the Sum of Twenty Pounds.

Custody of Offenders under a Military Sentence.

XXVII. And be it enacted, That every Gaoler and Keeper of any Prison or House of Correction in every Part of His Majesty's Dominions shall, upon the Order in Writing of any Commanding Officer of a District, Garrison, Regiment, or Corps, (as the Case may be,) receive into his Custody any Soldier under Sentence of Imprisonment by a General or other Court-martial, and keep him in a proper Place of Confinement, with or without hard Labour, according to the Sentence of the Court, and during the Time specified in the said Order, or until he be discharged, or shall, although the Period for which the Soldier was originally committed may not have expired, deliver him up to any Person producing an Order in Writing to that Effect from any such Commanding Officer as aforesaid; and every such Gaoler who shall refuse to receive and to confine any such Non-commissioned Officer or Soldier in manner as aforesaid shall forfeit for every such Offence the Sum of One hundred Pounds.

Custody and Subsistence of Deserters.

XXVIII. And be it enacted, That the Gaoler or Person having the immediate Inspection of any Prison, Gaol, or House of Correction in every Part of His Majesty's Dominions shall diet and supply every Soldier with Fuel and other Necessaries according to the Regulations of the Prison to which he shall be committed, and shall receive on account of every Soldier, during the Period of his Imprisonment, Sixpence *per Diem*, which the Secretary at War shall cause to be issued out of the Subsistence of such Soldier, upon Application in Writing

Writing signed by any Justice within whose Jurisdiction such Place of Confinement shall be locally situated, together with a Copy of the Order of Commitment, and which Sum of Sixpence *per Diem* shall be carried to the Credit of the Fund from which the Expence of such Prison or House of Correction is defrayed; and such Gaoler is hereby required to receive and confine every Deserter who shall be delivered into his Custody by any Soldier conveying such Deserter under lawful Authority, on Production of the Warrant of the Justice of the Peace on which such Deserter shall have been taken, or some Order from the Office of the Secretary at War, which Order shall continue in force until the Deserter shall have arrived at his Destination, and such Gaoler shall be entitled to One Shilling for the safe Custody of the said Deserter while halted on the March, and to such Subsistence for his Maintenance as shall be directed by His Majesty's Regulations.

XXIX. And be it enacted, That every Gaoler to whom any Notice shall have been given that any Person in his Custody for any Offence is a Soldier liable to serve His Majesty on the Expiration of his Imprisonment, shall give One Month's Notice of the Period of such Expiration of Imprisonment, or if there shall not be sufficient Time for a Month's Notice, then the longest practicable Notice thereof, to the Secretary at War. Notice of Expiration of Imprisonment.

XXX. And be it enacted, That all the Provisions of this Act shall apply to all Persons employed on the Recruiting Service receiving Pay in respect of such Service, and to the Forces of the *East India* Company while they shall be in any Part of the United Kingdom, and until their Arrival in the Territories of the *East India* Company, and to the Officers and Persons now or hereafter serving and hired to be employed in the Royal Artillery and Field Train, and Master Gunners and Gunners, and Conductors of Stores, and in the Regiment of Royal Engineers and the Corps of Royal Sappers and Miners, and in the Corps of Royal Military Surveyors and Draftsmen, in the Ordnance and in the Commissariat Departments, and who are or shall be serving with any Part of His Majesty's Forces, at Home or Abroad, under the Command of any Officer having Commission from His Majesty, and all Storekeepers and other Civil Officers who are or shall be employed by or act under the Ordnance at any of His Majesty's Ordnance Establishments at Foreign Stations; provided that nothing in this Act contained shall extend to affect any Security which has been given by such Storekeeper, Barrack Master, or other Officer, or their Sureties, for the due Performance of their respective Offices, under the Provisions of an Act passed in the Fiftieth Year of the Reign of His late Majesty King *George* the Third, to regulate the taking of Securities in all Offices, but that such Bonds and other Securities shall be and remain in full Force and Effect. Persons subject to this Act.

XXXI. And be it enacted, That all Officers and Soldiers of any Troops, being mustered and in Pay, which shall be raised and serving in any of His Majesty's Dominions Abroad, or in Places in Possession of or occupied by His Majesty's Subjects, under the Command of any Officer Foreign Troops in this Country.

Officer having any Commission immediately from His Majesty, shall be liable to Martial Law in like Manner as His Majesty's other Forces are; and if such Officers and Soldiers, having been made Prisoners, be sent into *England* or *Ireland*, although not allowed to serve therein, all the Provisions of this Act in regard to billeting Soldiers shall apply to such Officers and Soldiers.

Militia and
Yeomanry.

XXXII. And be it enacted, That nothing in this Act contained shall in anywise be construed to extend to any of the Militia Forces or Yeomanry or Volunteer Corps in *Great Britain* or *Ireland*, excepting only in such Cases wherein, by any Act or Acts for regulating any of the said Forces or Corps, the Provisions contained in any Act for punishing Mutiny and Desertion shall be specifically made applicable to the said Corps.

Act to
extend to
certain
Islands.

XXXIII. And be it enacted, That this Act shall be construed to extend to the Islands of *Jersey*, *Guernsey*, *Alderney*, *Sark*, and *Man*, and the Islands thereto belonging, as to the Provisions therein for mustering and paying, and to the Provisions for the Trial and Punishment of Officers and Soldiers who shall be charged with Mutiny and Desertion, or any other of the Offences which are by this Act declared to be punishable by the Sentence of a General, or Garrison, or Detachment, or Regimental Court-martial, and also to the Provisions which relate to the Punishment of Persons who shall conceal Deserters, or shall knowingly buy, exchange, or otherwise receive any Arms, Clothes, Military Furniture, or Regimental Necessaries from any Soldier or Deserter, or who shall cause the Colour of any such Clothes to be changed, and also as to the Exemption from Arrest for Debts under Thirty Pounds of Soldiers in the said Islands.

Enlisting and
swearing of
Recruits.

XXXIV. And be it enacted, That every Person who shall receive Enlisting Money from any Person employed in the Recruiting Service, he being an Officer, Non-commissioned Officer, or an attested Soldier, shall be deemed to be enlisted as a Soldier in His Majesty's Service, and while he shall remain with the Recruiting Party shall be entitled to be billeted; and every Person who shall enlist any Recruit shall first ask the Person offering to enlist whether he does or does not belong to the Militia, and shall cause to be taken down, in Writing, the Name and Place of Abode of such Recruit; and (if such Recruit shall not reside in or in the Vicinity of the Town or Place where he offered to enlist), the Place also at which he shall declare that he intends to sleep, in order that within Forty-eight but not sooner than Twenty-four Hours, any intervening *Sunday* not included, after his having received the Enlisting Money, Notice of his having so enlisted be given to the Recruit or left at his usual Place of Abode, or at the Place where he stated that it was his Intention to sleep; and when any Person shall be enlisted as a Soldier in His Majesty's Land Service he shall within Four Days, any intervening *Sunday* not included, but not sooner than Twenty-four Hours after such Enlisting, appear, together with some Person employed in the Recruiting Service of the Party with which he shall have enlisted, before a Justice, or, in *Scotland*, before any Baillie of a Royal Burgh, residing within the Vicinity of the Place, and acting for

for the Division or District where such Recruit shall have been enlisted, and not being an Officer in the Army; and if such Recruit shall declare his having voluntarily enlisted, the said Justice shall put to him the several Questions contained in the Schedule to this Act annexed, and shall record or cause to be recorded in Writing his Answers thereunto; and the said Justice is hereby required forthwith to cause the Answers so recorded in Writing, and the First and Second Articles of the Second Section of the Articles of War against Mutiny and Desertion, to be read over in his own Presence to such Recruit, and to administer to such Recruit the Oath in the Schedule to this Act annexed for limited or unlimited Service, or for Service in the Forces of the *East India* Company, as may be applicable to the Case of the Recruit, and no other Oaths, any thing in any Acts to the contrary notwithstanding; and the said Justice is hereby required to give, under his Hand, the Certificate in the Schedule to this Act annexed; and if any such Recruit so to be certified shall refuse to take the Oath in the Schedule to this Act annexed before the said Justice, it shall be lawful for the Officer or Non-commissioned Officer with whom he enlisted to detain and confine such Person until he shall take the said Oath of Fidelity.

XXXV. And be it enacted, That any Recruit appearing as aforesaid before such Justice shall be at liberty to declare his Dissent to such Enlisting, and upon such Declaration, and returning the Enlisting Money, and also paying the Sum of Twenty Shillings for the Charges expended upon him, together with the full Amount of Subsistence and Beer Money which shall have been paid to such Recruit subsequent to the Period of his having been enlisted, shall be forthwith discharged and set at liberty in the Presence of such Justice; but if such Person shall refuse or neglect, within the Space of Twenty-four Hours after so declaring his Dissent, to return and pay such Money as aforesaid, he shall be deemed and taken to be enlisted as if he had given his Assent thereto before the said Justice: Provided also, that it shall be lawful for any Justice to discharge any Person who shall have hastily enlisted, and who shall apply to him to declare his Dissent within such Four Days as aforesaid, upon Payment of the Sum of Money required to be paid by any Recruit declaring his Dissent under this Act, notwithstanding no Person belonging to the Recruiting Party shall be with the Recruit, if it shall appear to such Justice, upon Proof to his Satisfaction, that the Recruiting Party has left the Place where such Recruit was enlisted, or that the Recruit could not procure any Person belonging to such Party to go with him before the Justice; and the Sum paid by such Recruit upon his Discharge shall be kept by the Justice, and paid to any Person belonging to the Recruiting Party entitled thereto demanding the same; provided that no Recruit who has been actually, though erroneously, discharged by the Justice before the Expiration of Twenty-four Hours after the Time of his Enlistment, shall be liable on that Account to be proceeded against as having deserted from His Majesty's Service; and the Justice who shall discharge any Recruit shall in every Case give a Certificate thereof, signed with his Hand, to the Recruit, specifying the Cause thereof.

Dissent and
Relief from
Enlistment.

Offences
connected
with Enlist-
ment.

XXXVI. And be it enacted, That if any Recruit shall receive the Enlisting Money from any Person employed in the Recruiting Service (knowing it to be such), and shall abscond or refuse to go before such Justice, or shall thereafter absent himself from the Recruiting Party or Person with whom he enlisted, and shall not voluntarily return to go before some Justice within such Period of Four Days aforesaid, such Recruit shall be deemed to be enlisted and a Soldier in His Majesty's Service, as fully to all Intents and Purposes as if he had been duly attested, and may be apprehended and punished as a Deserter, or for being absent without Leave, under any Articles of War made for Punishment of Mutiny and Desertion; and such Recruit shall not be discharged by any Justice of the Peace after the Expiration of such Four Days as aforesaid, unless it shall be proved to the Satisfaction of such Justice that the true Name and Residence of the Recruit was disclosed and known to the Recruiting Party, and that no Notice was given to the Recruit, or left at his usual Place of Abode, of his having so enlisted; provided that in every Case wherein any Recruit shall have received Enlisting Money, and shall have absconded from the Party, so that it shall not be possible immediately to apprehend and bring him before a Justice, the Officer or Non-commissioned Officer commanding the Party shall produce to the Justice before whom the Recruit ought regularly to have been brought for Attestation a Certificate of the Name and Place of Residence of such Recruit; and the Justice to whom such Certificate shall be produced shall, after satisfying himself that the Recruit who had absconded cannot be found and apprehended, transmit a Duplicate thereof to His Majesty's Secretary at War, in order that, in the event of such Recruit being afterwards apprehended and reported as a Deserter, the Facts of his having received Enlisting Money, and having absconded after having been enlisted, may be ascertained, before he be finally adjudged to be a Deserter; and any Recruit who shall enlist into His Majesty's Forces, and who shall be discovered to be incapable of active Service by reason of any Infirmary concealed or not declared by such Recruit before the Justice at the Time of his Attestation, may be transferred into any Garrison or Veteran or Invalid Battalion or Company, or into His Majesty's Marine Forces, notwithstanding he shall have enlisted for any particular Regiment, and shall be entitled to receive such Proportion or Residue of Bounty only as His Majesty may allow in that Behalf, instead of the Bounty upon which such Man shall have been enlisted, any thing in any Act or Acts, or any Rules and Regulations relating to Soldiers, to the contrary notwithstanding; and it shall be lawful for any Two Justices before whom such Recruit shall be brought, and who shall be proved upon Oath, before them, to have concealed his having been a Soldier and discharged, or to have concealed his having been discharged upon any prior Enlistment, or to have wilfully concealed any such Infirmary upon being attested, or to have designedly made any false Representation as aforesaid, to adjudge such Person to be a Rogue and Vagaband, and to sentence him to such Punishment as by any Law now in force may be inflicted upon Rogues and Vagabonds and Vagrants and incorrigible Rogues; and any Recruit who shall designedly make any false Representation of any Particular contained in the Oaths and

Certificates

Certificates in the Schedule to this Act annexed, before the Justice, at the Time of his Attestation, and shall obtain any Enlisting Money or Bounty for entering into His Majesty's Service, or any other Money, shall be deemed guilty of obtaining Money under false Pretences within the true Intent and Meaning, if in *England*, of an Act, intituled *An Act for consolidating and amending the Laws* 7 & 8 G. 4. c. 29. in *England relative to Larceny and other Offences connected therewith*; and if in *Ireland*, of an Act passed in the Ninth Year of the Reign of His late Majesty, intituled *An Act for consolidating and amending the Laws in Ireland relative to Larceny and other Offences connected therewith*; and the Production of such Certificate, and Proof of the Handwriting of the Justice giving such Certificate, shall be sufficient Evidence of such Party having represented the several Particulars contained in the Oath sworn by him, and specified in the Certificate of the Justice at the Time of his being attested; and that Proof by the Oath of One or more credible Witnesses, that the Person so prosecuted hath voluntarily acknowledged that at the Time of his Enlistment he belonged to the Militia, or to any Regiment in His Majesty's Service, or to His Majesty's Navy or Marines; shall be deemed and taken as Evidence of the Fact so by him acknowledged, without Production of any Roll or other Document to prove the same; and any Man having been enrolled to serve in the Militia at the Time of offering to enlist who shall deny that he is a Militia Man then actually enrolled and engaged to serve, or shall deny to the Justice before whom he shall be attested that he belongs to the Militia, shall, on Conviction thereof before any One Justice in the United Kingdom, either upon Oath of One Witness or upon his own Confession, or upon the Production of the Attestation, and the before-mentioned Acknowledgment of such Person, certified by the Secretary at War or Deputy Secretary at War, be committed to the Common Gaol or House of Correction, there to remain without Bail or Mainprize for and during any Time not exceeding Six Calendar Months, over and above any Penalty or Punishment to which such Person so offending may be otherwise liable, and shall from the Day on which his Engagement to serve in the Militia shall end, and not sooner, belong as a Soldier to the Corps of His Majesty's Regular Forces, or of the *East India Company's Forces*, into which he shall have so enlisted; provided that every such Person shall be liable to serve, within the United Kingdom of *Great Britain and Ireland*, in any Regiment, Battalion, or Corps of His Majesty's Regular Forces, or of the *East India Company's Forces*, in which he has so enlisted, during all the Time the Militia to which he shall belong shall remain disembodied, or shall not be called out for Training or Exercise, and shall during all such Time be subject to all the Provisions of this Act, and liable to be apprehended and dealt with and punished as a Deserter from the Corps in which he shall have so enlisted, if he shall neglect or refuse to join and serve in such Corps as aforesaid.

XXXVII. And be it enacted, That every Military Officer, who shall act contrary to the Provisions of this Act in any respect regarding the enlisting and attesting of Recruits for His Majesty's Service, shall, upon Proof thereof upon Oath by Two Witnesses before a General Court, be liable to the Penalty on Officers offending against Laws regarding Enlistment.

Court-martial, which is hereby authorized to administer such Oath, be cashiered, and disabled to hold any Civil or Military Office or Employment in His Majesty's Service.

Enlistment
and Re-en-
listment
abroad.

XXXVIII. And whereas it is expedient that Provision should be made for the enlisting and attesting of Soldiers desirous of re-enlisting, and others desirous of enlisting, abroad; be it therefore enacted, That it shall be lawful for any Person duly appointed by His Majesty, by any Warrant signed by the Secretary at War in that Behalf, and not being a General Officer nor holding any Regimental Commission, to enlist and attest, out of *Great Britain* or *Ireland*, any Soldiers or Persons desirous of enlisting or re-enlisting into His Majesty's Service; and any Person so appointed shall have the same Powers in that Behalf as are given to Justices in the United Kingdom for all such Purposes of Enlistment and Attestation; and any Person so enlisted or re-enlisted shall be deemed to be an attested Soldier; and as often as any Corps shall be relieved or disbanded at any Station beyond the Seas, it shall be lawful for any Officers thereunto authorized by the Officer commanding in chief at such Station to enlist as many of the Soldiers belonging to the Corps leaving the Station as shall be willing and fit for Service for any Corps appointed to remain; and every Soldier so enlisted is hereby deemed to be discharged from his former Corps; and an attested Certificate of Transfer shall be delivered to the Soldier.

Enlistment
of Negroes.

XXXIX. And be it enacted, That all Negroes purchased by or on account of His Majesty, His Heirs and Successors, and serving in any of His Majesty's Forces, shall be deemed and taken to be free in every respect as if born free in any Part of His Majesty's Dominions, and shall be considered as Soldiers having voluntarily enlisted in His Majesty's Service; provided that nothing contained in this Act as to enlisting for limited Periods of Service, or in any other Act as to any Rules or Regulations for granting Pensions or Allowances to Soldiers discharged after certain Periods of Service, shall extend to any Negroes so purchased.

Apprentice
enlisting to
be liable to
serve after
the Expira-
tion of his
Apprentice-
ship.

XL. And be it enacted, That any Person duly bound as an Apprentice who shall enlist as a Soldier in His Majesty's or the *East India* Company's Service, and shall state to the Magistrate before whom he shall be carried and attested that he is not an Apprentice, shall be deemed guilty of obtaining Money under false Pretences within the true Intent and Meaning of the before-recited Acts, and shall, after the Expiration of his Apprenticeship, whether he shall have been so convicted and punished or not, be liable to serve as a Soldier in any of His Majesty's Regular Forces, or in the Forces of the *East India* Company, according to the Terms of the Enlistment; and if on the Expiration of his Apprenticeship he shall not deliver himself up to some Officer authorized to receive Recruits, may be taken as a Deserter from His Majesty's Forces.

Claims of
Masters to
Apprentices.

XLI. And be it enacted, That no Master shall be entitled to claim an Apprentice who shall enlist as a Soldier in His Majesty's or the *East*

East India Company's Service, unless he shall, within One Calendar Month after such Apprentice shall have left his Service, go before some Justice and take the Oath mentioned in the Schedule to this Act annexed, and produce the Certificate of such Justice of his having taken such Oath, which Certificate such Justice is required to give in the Form in the Schedule to this Act annexed; and unless such Apprentice shall have been bound, if in *England*, for the full Term of Seven Years, not having been above the Age of Fourteen when so bound, and, if in *Ireland* or in the *British Isles*, for the full Term of Five Years at the least, not having been above the Age of Sixteen when so bound, and, if in *Scotland*, for the full Term at least of Four Years, by a regular Contract or Indenture of Apprenticeship, duly extended, signed, and tested, and binding on both Parties by the Law of *Scotland*, prior to the Period of Enlistment, and unless such Contract or Indenture in *Scotland* shall, within Three Months after the Commencement of the Apprenticeship, and before the Period of Enlistment, have been produced to a Justice of the Peace of the County in *Scotland* wherein the Parties reside, and there shall have been indorsed thereon by such Justice a Certificate or Declaration signed by him, specifying the Date when and the Person by whom such Contract or Indenture shall have been so produced, which Certificate or Declaration such Justice of the Peace is hereby required to indorse and sign; and unless such Apprentice shall, when claimed by such Master, be under Twenty-one Years of Age; provided that any Master of an Apprentice indentured for the Sea Service shall be entitled to claim and recover him in the Form and Manner above directed, notwithstanding such Apprentice may have been bound for a less Term than Seven, Five, or Four Years as aforesaid; and any such Master who shall give up the Indentures of Apprenticeship within One Month after the enlisting of such Apprentice shall be entitled to receive to his own Use so much of the Bounty payable to such Recruit, after deducting therefrom Two Guineas to provide him with Necessaries, as shall not have been paid to such Recruit before Notice given of his being an Apprentice.

XLII. And be it enacted, That no Apprentice claimed by his Master shall be taken from any Corps or Recruiting Party but under a Warrant of a Justice residing near and within whose Jurisdiction such Apprentice shall then happen to be, before whom he shall be carried, and such Justice shall inquire into the Matter upon Oath, which Oath he is hereby empowered to administer, and shall require the Production and Proof of the Indenture, and that Notice of the said Warrant has been given to the Commanding Officer, and a Copy thereof left with some Officer or Non-commissioned Officer of the Party, and that such Person so enlisted declared that he was no Apprentice; and such Justice, if required by such Officer or Non-commissioned Officer, shall commit the Offender to the Common Gaol of the said Place, and shall keep the Indenture to be produced when required, and shall bind over such Person as he may think proper to give Evidence against the Offender, who shall be tried at the next or at the Sessions immediately succeeding the next General or Quarter Sessions of the County, Division, or Place, unless the Court shall on just Cause put off the Trial; and the

Punishment
of Appren-
tices enlist-
ing.

Production of the Indenture, with the Certificate of the Justices that the same was proved, shall be sufficient Evidence of the said Indenture; and every such Offender, in *Scotland*, may be tried by the Judge Ordinary in the County or Stewartry, in such and the like Manner as any Person may be tried in *Scotland* for any Offence not inferring a Capital Punishment; provided that any Justice not required as aforesaid to commit such Apprentice may deliver him to his Master.

Musters, and
Penalty on
false Mus-
ters.

XLIII. And be it enacted, That Musters shall be taken of every Regiment, Troop, or Company in His Majesty's Service, twice at least in every Year, at such Times as shall be appointed; and no Soldier shall be absent from such Musters unless properly certified to be employed on some other Duty of the Regiment, or to be sick, or in Prison, or on Furlough; and every Person who shall give or procure to be given any untrue Certificate whereby to excuse any Soldier for his Absence from any Muster or any other Service which he ought to attend or perform, or shall make any false or untrue Muster of Man or Horse, or shall wittingly or willingly allow or sign the Muster Roll wherein such false Muster is contained, or any Duplicate thereof, or who shall directly or indirectly take or cause to be taken any Money or Gratuity for mustering any Soldiers, or for signing any Muster Rolls or Duplicates thereof, or shall knowingly muster any Person by a wrong Name, upon Proof thereof upon Oath made by Two Witnesses before a General Court-martial, shall for such Offence be forthwith cashiered, and shall be thereby utterly disabled to have or hold any Civil or Military Office or Employment within the United Kingdom of *Great Britain* and *Ireland*, or in His Majesty's Service; and if the Person giving such untrue Certificate shall not have any Military Commission, he shall forfeit for every such Offence the Sum of Fifty Pounds; and any Person who shall falsely be mustered or offer himself to be mustered, or lend or furnish any Horse to be falsely mustered, shall, upon Oath made by Two Witnesses before some Justice of the Peace residing near the Place where such Muster shall be made, forfeit the Sum of Twenty Pounds; and the Informer, if he belongs to His Majesty's Service, shall, if he demand it, be forthwith discharged.

Musters in
and near
Westmin-
ster.

XLIV. And be it enacted, That Forty-eight Hours Notice shall be given to Six Justices, not being Officers of the Army, residing within the City and Liberties of *Westminster* and Borough of *Southwark*, of the Muster to be taken of His Majesty's Forces quartered within the said City and Liberties and Borough; and no Officer shall proceed to take such Musters, under Penalty of Fifty Pounds, except in the Presence of Two or more Justices, who shall take cognizance of such Muster, and sign the same, unless such Justices shall neglect to attend, of which Neglect, as well as of the proper Notice being given to such Justices, Oath shall be made, within Forty-eight Hours after such Muster, before any Justice; and the Officer appointed to take the Half-yearly Musters of any of His Majesty's Forces, at any Place Ten Miles distant from *London*, shall close the Muster Rolls within Twenty-four Hours after the said Muster has been made, and send a Copy thereof within Seven Days to the Secretary at War.

XLV. And be it enacted, That any Soldier who shall absent himself without Leave, or who shall desert, shall, on Conviction by a General or other Court-martial, in addition to any Punishment awarded by such Court, forfeit his Pay for the Days on which he has so absented himself without Leave, or on which he has been absent by such Desertion, and that no Soldier shall be entitled to Pay or to reckon Service towards Pay or Pension when in Confinement under any Sentence of any Court, or during any Absence from Duty by Commitment under the Civil Power on a Charge of any Offence cognizable by a Civil or Criminal Court, or by reason of any Arrest for Debt, or as a Prisoner of War, or while in Confinement under any Charge of which he shall afterwards be convicted; and if any Soldier shall absent himself without Leave for any Period not exceeding Five Days, and shall not account for the same to the Satisfaction of the Commanding Officer, it shall be lawful for the said Commanding Officer (if he shall think fit) to order and direct that such Soldier shall forfeit his Pay for the Day or Days on which he has so absented himself, and thereupon such Pay shall be forfeited, and such Soldier shall not be liable to be afterwards tried by a Court-martial, or to be otherwise punished for the said Offence; provided that any Soldier acquitted of the Offence for which he was committed shall, upon Return to his Duty in his Corps, be entitled to receive all Arrears of Pay growing due, and to reckon Service during his Absence or Confinement; and upon rejoining His Majesty's Service from being a Prisoner of War, due Inquiry shall be made by a Court-martial, and if it shall be proved to the Satisfaction of such Court that the said Soldier was taken Prisoner without wilful Neglect of Duty on his Part, and that he hath not served with or under or in any Manner aided the Enemy, and that he hath returned as soon as possible to His Majesty's Service, he may thereupon be recommended by such Court to receive either the Whole of such Arrears of Pay, or a Proportion thereof, and to reckon Service during his Absence; provided that it shall be lawful for His Majesty's Secretary at War to order or withhold the Payment of the Whole or any Part of the Pay of any Officer or Soldier during the Period of Absence by any of the Causes aforesaid.

Forfeiture
of Pay.

XLVI. And be it enacted, That when there shall not be any Military Officer of Rank, not inferior to Captain, or any Adjutant of Regular Militia, within convenient Distance of the Place where any Non-commissioned Officer or Soldier on Furlough shall be detained by Sickness or other Casualty rendering necessary any Extension of such Furlough, it shall be lawful for any Justice who shall be satisfied of such Necessity to grant an Extension of Furlough for a Period not exceeding One Month; and the said Justice shall immediately certify such Extension, and the Cause thereof, to the Commanding Officer of the Corps or Detachment to which the Man belongs, if known, and if not, then to the Agent of the Regiment, in order that the proper Sum may be remitted to the Soldier, who shall not during the Period of such Extension of Furlough be liable to be treated as a Deserter; provided that nothing herein contained shall be construed to exempt any Soldier from Trial and Punishment, according to the Provisions of this Act, for any false Representation made by him in that

Extension of
Furlough in
case of Sick-
ness.

that Behalf to the said Justice, or for any Breach of Discipline committed by him in applying for and obtaining the said Extension of Furlough.

Marching
Money on
Discharge.

XLVII. And be it enacted, That every Soldier entitled to his Discharge shall, if then serving abroad, be sent, if he shall so require it, to *Great Britain* or *Ireland* free of Expence, and shall be entitled to receive Marching Money from the Place of his being landed (or, if discharged at Home, shall receive Marching Money from the Place of his Discharge,) to the Parish or Place in which he shall have been originally enlisted, or at which he shall at the Time of his Discharge decide to take up his Residence, such Place not being at a greater Distance from the Place of his Discharge than the Place of his original Enlistment.

Commissa-
ries to attest
their Ac-
counts.

XLVIII. And be it enacted, That all Commissaries upon making up their Accounts, and also upon returning from any Foreign Service, shall make the Declaration described in the Schedule to this Act annexed; which Declaration, if made in any Part of the United Kingdom, shall be made before some Justice, and if made on Foreign Service, before the Officer commanding in chief, or the Second in command, or the Quarter Master or Deputy Quarter Master General or any Assistant Quarter Master General of the Army to which he shall be attached, who shall respectively have Power to administer and receive the same.

Issue of Pay
of the Army.

XLIX. And be it enacted, That no Secretary at War, Paymaster General of the Army, Paymaster, or any other Officer whatsoever, or their under Officers, shall receive any Fees or make any Deductions whatsoever out of the Pay of any Officer or Soldier in His Majesty's Army, or from their Agents, which shall grow due from and after the Twenty-fifth Day of *April* One thousand eight hundred and thirty-six, other than the usual Deductions, or such other necessary Deductions as shall from Time to Time be required by His Majesty's Regulations, or by His Majesty's Order signified by the Secretary at War; and every Paymaster or other Officer having received any Officer's or Soldier's Pay, who shall unlawfully detain the same for the Space of One Month, or refuse to pay the same when it shall become due, according to the several Rates and agreeably to the several Regulations established by His Majesty's Orders, shall, upon Proof thereof before a Court-martial, be discharged from his Employment, and shall forfeit One hundred Pounds, and the Informer, if a Soldier, if he demands it, shall be discharged from any further Service; provided that it shall be lawful for His Majesty's Secretary at War to give Orders for withholding the Pay of any Officer or Soldier for any Period during which such Officer, Non-commissioned Officer, or Soldier shall be absent without Leave, or improperly absent from his Corps and from his Duty; or, in case of any Doubt as to the proper Issue of Pay, to withhold it from the Parties aforesaid until His Majesty's Orders shall have been signified by the Secretary at War.

L. And

L. And for enforcing a prompt Observance of the Rules and Orders for the due Appropriation of the Public Funds applicable to Army Services, and in order that a true and regular Account may be kept and rendered by the Agents for the several Corps, be it enacted, That the said Agents are hereby required to observe such Orders as shall from Time to Time be given by His Majesty under His Sign Manual, or by the Secretary at War, or by His Majesty's Chief Governor or Governors of *Ireland*, or by the Lord Treasurer or Commissioners of the Treasury; and if any Person, being or having been an Agent, shall refuse or neglect to comply with such Orders in relation to his Duty as Agent, or shall unlawfully withhold or detain the Pay of any Officer or Soldier after the Space of One Month after the Receipt thereof, he shall for the First Offence forfeit the Sum of One hundred Pounds; and, if still an Agent, for the Second Offence be discharged from his Employment as an Army Agent, and be utterly disabled to have or hold such Employment thereafter; or, if he shall have ceased to be an Army Agent, shall for the Second and every succeeding Offence forfeit the Sum of Two hundred Pounds.

Penalty for
Disobedi-
ence by
Agents.

LI. And whereas by Petition of Right in the Third Year of King *Charles* the First, it is enacted and declared, that the People of the Land are not by the Laws to be burthened with the sojourning of Soldiers against their Wills; and by a Clause in an Act of the Parliament of *England*, made in the Thirty-first Year of the Reign of King *Charles* the Second, for granting a Supply to His Majesty of Two hundred and six thousand four hundred and sixty-two Pounds Seventeen Shillings and Three-pence, for paying and disbanding the Forces, it is declared and enacted, that no Officer, Civil or Military, nor other Person whosoever, should thenceforth presume to place, quarter, or billet any Soldier upon any Subject or Inhabitant of this Realm, of any Degree, Quality, or Profession whatsoever, without his Consent, and that it shall be lawful for any Subject or Inhabitant to refuse to quarter any Soldier, notwithstanding any Warrant or Billetting whatsoever: And whereas by an Act passed in *Ireland* in the Sixth Year of the Reign of Queen *Anne*, intituled *An Act to prevent the Disorders that may happen by the marching of Soldiers, and providing Carriages for the Baggage of Soldiers on their March*, it was enacted, that no Officer, Soldier, or Trooper in the Army, nor the Servant of any Officer, nor any Attendant on the Train of Artillery, should at any Time thereafter be allowed any Quarters in any Part of *Ireland*, save only during such Time as he or they should be and remain in some Seaport Town in order to be transported, or during such Time as there should be any Commotion in any Part of *Ireland*, by reason of which Emergency the Army should be commanded to march from any Part of *Ireland* to another: But forasmuch as at this Time, during the Continuance of this Act, there is and may be Occasion for the marching and quartering of Regiments, Troops, and Companies in several Parts of the United Kingdom of *Great Britain* and *Ireland*, be it further enacted, That it shall be lawful for all Constables of Parishes and Places, and other Persons specified in this Act, in *England* and *Ireland*, and they are hereby required,

How and
where
Troops may
be billeted.

6 Ann. (I.)

to billet the Officers and Soldiers in His Majesty's Service, and Persons receiving Pay in His Majesty's Army, and the Horses belonging to His Majesty's Cavalry, and also all Staff and Field Officers Horses, and all Bât and Baggage Horses belonging to any of His Majesty's other Forces, when on actual Service, not exceeding for each Officer the Number for which Forage is or shall be allowed by His Majesty's Regulations, in Victualling Houses and other Houses specified in this Act (taking care in *Ireland* not to billet less than Two Men in any One House, except only in case of billeting Cavalry as specially provided); and that they shall be received by the Occupiers of such Houses in which they are so allowed to be billeted, and be furnished by such Victuallers with proper Accommodation in such Houses, or if any Victualler shall not have sufficient Accommodation in the House upon which a Soldier is billeted, then in some good and sufficient Quarters to be provided by such Victualler in the immediate Neighbourhood, and in *England* with Diet and Small Beer, and with Stables, Hay, and Straw for such Horses as aforesaid, paying and allowing for the same the several Rates herein-after provided; and at no Time when Troops are on a March shall any of them, whether Infantry or Cavalry, be billeted above One Mile from the Place mentioned in the Route; and in all Places where Cavalry shall be billeted in pursuance of this Act, the Men and their Horses shall be billeted in one and the same House, except in case of Necessity; and in no other Case whatsoever shall there be less than One Man billeted where there shall be One or Two Horses, nor less than Two Men where there shall be Four Horses, and so in proportion for a greater Number; and in no Case shall a Man and his Horse be billeted at a greater Distance from each other than One hundred Yards; and the Constables are hereby required to billet all Soldiers and their Horses on their March in a just and equal Proportion upon the Keepers of all Houses within One Mile of the Place mentioned in the Route, although some of such Houses may be in the adjoining County, in like Manner in every respect as if such Houses were locally situate within such Place; provided that nothing herein contained shall be construed to extend to authorize any Constable to billet Soldiers out of the County to which such Constable belongs, when the Constable of the adjoining County shall be present and undertake to billet the due Proportion of Men in such adjoining County; and no more Billets shall at any Time be ordered than there are effective Soldiers and Horses present to be billeted; all which Billets, when made out by such Constables, shall be delivered into the Hands of the Commanding Officer present; and if any Person shall find himself aggrieved by having an undue Proportion of Soldiers billeted in his House, and shall prefer his Complaint, if against a Constable or other Person not being a Justice, to One or more Justices, and if against a Justice, then to Two or more Justices, within whose Jurisdiction such Soldiers are billeted, such Justices respectively shall have Power to order such of the Soldiers to be removed, and to be billeted upon other Persons, as they shall see Cause; and when any of His Majesty's Cavalry or any Horses as aforesaid shall be billeted upon the Occupiers of Houses in which Officers or Soldiers may be quartered by virtue of this Act, who shall have no Stables, then

7° GULIELMI IV. Cap. 7.

and in such Case, upon the written Requisition of the Commanding Officer of the Regiment, Troop, or Detachment, the Constable is hereby required to billet the Men and their Horses, or Horses only, upon some other Person or Persons who have Stables by this Act liable to have Officers and Soldiers billeted upon them; and upon Complaint being made by the Person or Persons to whose House or Stables the said Men and Horses shall have been so removed to Two or more Justices within whose Jurisdiction such Men or Horses shall be so billeted, it shall be lawful for such Justices to order a proper Allowance to be paid by the Person relieved to the Persons receiving such Men and Horses, or to be applied in furnishing the requisite Accommodation; and Commanding Officers may exchange any Man or Horse billeted in any Place with another Man or Horse billeted in the same Place, for the Benefit of the Service, provided the Number of Men and Horses do not exceed the Number at that Time billeted on such Houses; and the Constables are hereby required to billet such Men and Horses so exchanged accordingly; and it shall be lawful for any Justice, at the Request of any Officer or Non-commissioned Officer commanding any Soldiers requiring Billets, to extend any Routes or enlarge the Districts within which Billets shall be required, in such Manner as shall appear to be most convenient to the Troops; provided that, to prevent or punish all Abuses in billeting Soldiers, it shall be lawful for any Justice within his Jurisdiction, by Warrant or Order under his Hand, to require any Constable to give him an Account in Writing of the Number of Officers and Soldiers who shall be quartered by such Constable, together with the Names of the Persons upon whom such Officers and Soldiers are billeted, stating the Street or Place where such Persons dwell, and the Sign, if any, belonging to those Houses; and it shall be lawful to billet Officers and Soldiers in *Scotland* according to the Provisions of the Laws in force in *Scotland* at the Time of its Union with *England*; and no Officer shall be obliged to pay for his Lodging where he shall be regularly billeted, except in the Suburbs of *Edinburgh*.

LII. And be it enacted, That the Officers and Soldiers of His Majesty's Foot Guards shall be billeted within the City and Liberties of *Westminster*, and Places adjacent, lying in the County of *Middlesex* (except the City of *London*) and in the County of *Surrey*, and in the Borough of *Southwark*, in the same Manner and under the same Regulations as in other Parts of *England*, in all Cases for which particular Provision is not made by this Act; and the High Constable shall, on Receipt of the Order for billeting Soldiers, deliver Precepts to the several Constables within their respective Divisions, in pursuance of which the said Constables shall billet such Officers and Soldiers equally and proportionally on the Houses subjected thereto by this Act; and the said Constables shall at every General Sessions of the Peace to be holden for the said City and Liberties, Counties and Boroughs respectively, make and deliver to the Justices then in open Session assembled, upon Oath, which Oath the said Justices are hereby required to administer, Lists, signed by them respectively, of the Houses subject by this Act to receive

Billeting
the Guards
in and near
Westminster.

receive Officers and Soldiers, together with the Names and Rank of all Officers and Soldiers billeted on each respectively, which Lists shall remain with the respective Clerks of the Peace for the Inspection of all Persons, without Fee or Reward; and such Clerk shall forthwith from Time to Time deliver to any Persons who shall require the same true Copies of any such Lists, upon being paid Two-pence *per* Sheet for the same, each Sheet to contain at the least One-hundred and fifty Words.

Military
Officers not
to act as
Justices in
billeting.

LIII. And be it enacted, That no Justice having or executing any Military Office or Commission in any Part of the United Kingdom shall, directly or indirectly, be concerned in the billeting or appointing Quarters for any Soldier in the Regiment, Troop, or Company under the immediate Command of such Justice, but that all Warrants, Acts, or Things so appointed by such Justice for or concerning the same shall be void.

Allowance to
Innkeepers.

LIV. And be it enacted, That the Innholder or other Person on whom any Soldier is billeted in *England* shall, if required by such Soldier, furnish him for every Day on the March, and for a Period not exceeding Two Days when halted at the intermediate Place upon the March, and for the Day of the Arrival at the Place of final Destination, with One hot Meal in each Day, the Meal to consist of such Quantities of Diet and Small Beer as may be fixed by His Majesty's Regulations, not exceeding One Pound and a Quarter of Meat previous to being dressed, One Pound of Bread, One Pound of Potatoes or other Vegetables, and Two Pints of Small Beer, and Vinegar, Salt, and Pepper, and for such Meal the Innholder or other Person furnishing the same shall be paid the Sum of Ten-pence; and all Innholders and other Persons on whom Soldiers may be billeted in *England*, except when on the March, and entitled to be furnished with the hot Meal as aforesaid, shall furnish such Soldier with Candles, Vinegar, and Salt, and shall allow them the Use of Fire, and the necessary Utensils for dressing and eating their Meat, and shall be paid in consideration thereof the Sum of One Halfpenny *per Diem* for each Soldier; and the Sum to be paid to the Innholder or other Person on whom any of the Horses belonging to His Majesty's Forces shall be billeted, in *England*, for Hay and Straw, shall be Ten-pence *per Diem* for each Horse, and in *Ireland* the Sum to be paid for Forage to the Innholder or other Person for Horses billeted by virtue of this Act shall be the Rate established by the Lord Lieutenant or other sufficient Authority from Time to Time, the same to be regulated by the average Rate of Contracts for Forage in *Ireland*; and for the Use of Stables in *Ireland*, when such Horses are provided with Hay and Straw by Contract, and not by the Occupiers of the Houses on which they are billeted, the Sum of Four-pence *per* Week for each Horse shall be paid; and every Officer to whom it belongs to receive or who does actually receive the Pay for any Officers or Soldiers shall every Four Days, or before they shall quit their Quarters if they shall not remain so long as Four Days, settle the just Demands of all Victuallers or other Persons upon whom such Officers and Soldiers are billeted, out of their Pay
and

and Subsistence, before any Part of the said Pay or Subsistence be distributed to them respectively; and if any Officer as aforesaid shall not pay the same, upon Complaint, and Oath made thereof by any Two Witnesses, at the next Quarter Sessions for the County or City where such Quarters were situated, the Secretary at War is hereby required (upon Certificate of the Justices before whom such Oath was made of the Sum due upon such Accounts, and the Persons to whom the same is owing,) to give Orders to the Regimental Agent to pay the said Sums, and to charge the same against such Officers; and in case of any Soldier being suddenly ordered to march, and that the respective Commanding Officers are not enabled to make Payment of the Sums due for the Lodging of the Men and Stabling for the Horses, every such Officer shall, before his Departure, make up the Account with every Person upon whom such Soldier may have been billeted, and sign a Certificate thereof; which Account and Certificate shall be transmitted to the Agent of the Regiment, who is hereby required to make immediate Payment thereof, and to charge the same to the Account of such Officer.

LV. And be it enacted, That all the Powers and Provisions in this Act contained relating to *England* shall be construed to extend to *Wales* and the Town of *Berwick-upon-Tweed*; and all Powers and Provisions relating to the *British Isles* shall be construed to extend to *Cuernsey, Jersey, Alderney, Sark, and Man*, and all Isles thereto and to *England* and *Ireland* belonging; and all Powers and Provisions relating to Soldiers shall be construed to extend to Non-commissioned Officers, unless when otherwise provided; and all Powers and Provisions relating to Justices shall be construed to extend to all Magistrates authorized to act as such in their respective Jurisdictions, and to Chief Magistrates of exclusive local Jurisdictions; and all the Powers given to and Regulations made for the Conduct of Constables in relation to the billeting of Officers and Soldiers, and all Penalties and Forfeitures for any Neglect thereof, shall extend to all Tithingmen, Headboroughs, and such like Officers, and High Constables and other Chief Officers and Magistrates of Cities, Towns, Villages, Hamlets, Parishes, and Places in *England* and *Ireland*, who shall act in the Execution of this Act in relation to billeting; and all Provisions for billeting Officers and Soldiers in Victualling Houses shall extend and apply to all Inns, Livery Stables, Alehouses, and to the Houses of Sellers of Wine by Retail, whether *British* or Foreign, to be drank in their own Houses, or Places thereunto belonging, and to all Houses of Persons selling Brandy, Strong Waters, Cider, or Metheglin, by Retail, in *England* and *Ireland*; and in *Ireland*, when there shall not be found sufficient Room in such Houses, then to billeting Soldiers in such Manner as has been heretofore customary; provided that no Officer or Soldier shall be billeted in *England* in any private Houses, or in any Canteen held or occupied under the Authority of the Ordnance Department, or upon Persons who keep Taverns only, being Vintners of the City of *London*, admitted to their Freedom of the said Company in right of Patrimony or Apprenticeship, notwithstanding such Persons who keep such Taverns only have taken out Victualling Licences, nor in the House of any Distiller

Definition of
Terms.

Powers and
Regulations
as to Billets.

Exemptions
from Billets.

tiller kept for distilling Brandy and Strong Waters, nor in the House of any Shopkeeper whose principal Dealing shall be more in other Goods and Merchandize than in Brandy and Strong Waters, so as such Distillers and Shopkeepers do not permit Tippling in such Houses, nor in the House of Residence in any Part of the United Kingdom of any Foreign Consul duly accredited as such.

Supply of
Carriages.

LVI. And be it enacted, That for the regular Provision of Carriages for His Majesty's Forces, and their Baggage in their Marches, in *England* and *Ireland*, all Justices of the Peace within their several Jurisdictions, being duly required thereunto by an Order from His Majesty, or the General of His Forces, or the Master General or Lieutenant General of His Majesty's Ordnance, or other Person duly authorized in that Behalf, shall, on Production of such Order to such Justices by some Officer or Non-commissioned Officer of the Regiment so ordered to march, issue a Warrant to any Constable having Authority to act in any Place from, through, near, or to which the Troop shall be ordered to march, (for each of which Warrants the Fee of One Shilling only shall be paid,) requiring him to provide the Carriages, Horses, and Oxen, and Drivers therein mentioned, and allowing sufficient Time to do the same, specifying Places from and to which the said Carriages shall travel, and the Number of Miles between the Places, for which Number only so specified Payment shall be demanded, and which Number of Miles shall not, except in Cases of pressing Emergency, exceed a Day's March prescribed in the Order of Route, and shall in no Cases exceed Twenty-five Miles; and the Constables receiving such Warrants shall order such Persons as they shall think proper, having Carriages, to furnish the requisite Supply, who are hereby required to furnish the same accordingly; and when sufficient Carriages cannot be procured within the proper Jurisdiction, any Justice of the next adjoining Jurisdiction shall, by a like Course of Proceeding, supply the Deficiency; and in order that the Burthen of providing Carriages may fall equally, and to prevent Inconvenience arising from there being no Justice near the Place where Troops may be quartered on the March, any Justice residing nearest to such Place may cause a List to be made out once in every Year of all Persons liable to furnish such Carriages, and of the Number and Description of their said Carriages, (which Lists shall at all seasonable Hours be open to the Inspection of the said Persons,) and may by Warrant under his Hand authorize the Constables within his Jurisdiction to give Orders to provide Carriages, without any special Warrant for that Purpose, which Orders shall be valid in all respects; and all Orders for such Carriages shall be made from such Lists in regular Rotation, as far as the same can be done.

Rates to be
paid, and
Mode of
proceeding.

LVII. And be it enacted, That the Rates to be paid for Carriages impressed shall be, in *England*, for every Mile which a Waggon with Four or more Horses, or a Wain with Six Oxen, or Four Oxen and Two Horses, shall travel, One Shilling; and for every Mile any Waggon with narrow Wheels, or any Cart with Four Horses, carrying not less than Fifteen Hundred Weight, shall travel, Ninepence; and for every Mile any other Cart or Carriage with less than Four Horses,

Horses, and not carrying Fifteen Hundred Weight, shall travel, Sixpence; and in *Ireland*, for every Hundred Weight loaded on any Wheel Carriage, One Halfpenny *per Mile*; and in *England* such further Rates may be added, not exceeding a total Addition *per Mile* of Four-pence, Three-pence, or Two-pence, to the respective Rates of One Shilling, Nine-pence, or Sixpence, as may seem reasonable to the Justices assembled at General Sessions for their respective Districts; and the Order of such Justices at Sessions shall specify the average Price of Hay and Oats at the nearest Market Town at the Time of fixing such additional Rates, the Period for which the Order shall be enforced, not exceeding Ten Days beyond the next General Sessions (and no such Order shall be valid unless a Copy thereof, signed by the presiding Magistrate and One other Justice, shall be transmitted to the Secretary at War within Three Days after the making thereof); and also in *England*, when the Day's March shall exceed Fifteen Miles, the Justice granting his Warrant may fix a further reasonable Compensation, not exceeding the usual Rate of Hire fixed by this Act; and when any additional Rates or Compensation shall be granted, the Justice shall insert in his own Hand in the Warrant the Amount thereof, and the Date of the Order of Sessions, if fixed by Sessions, and the Warrant shall be given to the Officer commanding, as his Voucher; provided that the Officer or Non-commissioned Officer demanding Carriages by virtue of the Warrant of a Justice shall, in *England*, pay down in hand the proper Sums into the Hands of the Constables providing Carriages, who shall give Receipts for the same on unstamped Paper; and, in *Ireland*, the Officers or Non-commissioned Officers as aforesaid shall pay to the Owners or Drivers of the Carriages, and One Third Part of such Payment shall be made before the Carriage be loaded, and all the said Payments in *Ireland* shall be made, if required, in the Presence of a Justice or Constable; provided that no Carriage shall be liable to carry more than Thirty Hundred Weight in *England*, and in *Ireland* no Car shall be liable to carry more than Six hundred Weight, and no Dray more than Twelve Hundred Weight; but the Owner of such Carriages in *Ireland* consenting to carry a greater weight shall be paid at the same Rate for every Hundred Weight of the said Excess; and the Owners of such Carriages in *Ireland* shall not be compelled to proceed, though with any less Weight, under the Sum of Three-pence a Mile for each Car and Sixpence a Mile for each Dray; and the Loading of such Carriages in *Ireland* shall be first weighed, if required, at the Expence of the Owner of the Carriage, if the same can be done in a reasonable Time, without Hindrance to His Majesty's Service; and the providing and paying for Carriages in *Scotland* shall be regulated by the Law in force at the Time of the Union with *England*; provided that a Cart with One or more Horses, for which the Furnisher shall receive Nine-pence a Mile, shall be required to carry Fifteen Hundred Weight at the least; provided that no Penalties or Forfeitures in any Act relating to Highways or Turnpike Roads in the United Kingdom shall apply to the Number of Horses and Oxen, or Weight of Loading of the aforesaid Carriages, which shall not on that Account be stopped or detained; and whenever it shall be necessary to impress Carriages for
the

the March of Soldiers from *Dublin*, at least Twenty-four Hours Notice of such March, and in case of Emergency as long Notice as the Case will admit, shall be given to the Lord Mayor of *Dublin*, who shall summon a proportional Number of Cars and Drays, at his Discretion, out of the licensed Cars and Drays and other Cars and Drays within the County of the said City, and they shall by Turns be employed on this Duty, at the Prices and under the Regulations herein-before mentioned; and no Country Cars, Drays, or other Carriages coming to Markets in *Ireland* shall be detained or employed against the Will of the Owners in carrying the Baggage of the Army on any Pretence whatsoever.

Supply of
Carriages in
Cases of
Emergency.

LVIII. And be it enacted, That it shall be lawful for His Majesty, or the Lord Lieutenant or Chief Governors of *Ireland*, by His or their Order, distinctly stating that a Case of Emergency doth exist, signified by the Secretary at War, or, if in *Ireland*, by the Chief Secretary or Under Secretary, or the First Clerk in the Military Department, to authorize any General or Field Officer commanding His Majesty's Forces in any District or Place, or to the Chief Acting Agent for the Supply of Stores and Provisions, by Writing under his Hand, reciting such Order of His Majesty or Lord Lieutenant or Chief Governor aforesaid, to require all Justices within their several Jurisdictions in *England* and *Ireland* to issue their Warrants for the Provision not only of Waggons, Wains, Carts, and Cars kept by or belonging to any Person and for any Use whatsoever, but also of Saddle Horses, Coaches, Post Chaises, Chaises, and other Four-wheeled Carriages kept for Hire, and also of Boats, Barges, and other Vessels used for the Transport of any Commodities whatsoever upon any Canal or Navigable River, as shall be mentioned in the said Warrants, therein specifying the Place and Distance to which such Carriages or Vessels shall go; and on the Production of such Requisition to such Justice by any Officer of the Corps ordered to be conveyed, or by any Officer of the Commissariat or Ordnance Department, such Justice shall take all the same Proceedings in regard to such additional Supply so required on the said Emergency as he is by this Act required to take for the ordinary Provision of Carriages; and all Provisions whatsoever of this Act, as regards the procuring of the ordinary Supply of Carriages, and the Duties of Officers and Non-commissioned Officers, Justices, Constables, and Owners of Carriages, in that Behalf, shall be to all Intents and Purposes applicable for the providing and Payment, according to the Rate of Posting or of Hire usually paid for such other Description of Carriages or Vessels so required on Emergency, according to the Length of the Journey or Voyage in each Case, but making no Allowance for Post Horse Duty, or Turnpike, Canal, River, or Lock Tolls, which Duty or Tolls are hereby declared not to be demandable for such Carriages and Vessels while employed in such Service or returning therefrom; and it shall be lawful to convey thereon, not only the Baggage, Provisions, and Military Stores of such Regiment or Detachment, but also the Officers, Soldiers, Servants, Women, Children, and other Persons of and belonging to the same.

LIX. And be it enacted, That it shall be lawful for the Justices of the Peace assembled at their Quarter Sessions to direct the Treasurer to pay, without Fee, out of the Public Stock of the County or Riding, or if such Public Stock be insufficient, then out of the Monies which the said Justices shall have Power to raise for that Purpose in like Manner as for County Gaols and Bridges, such reasonable Sums as shall have been expended by the Constables within their respective Jurisdictions for Carriages and Vessels, over and above what was or ought to have been paid by the Officer requiring the same, Regard being had to the Season of the Year and Condition of the Ways by which such Carriages and Vessels are to pass.

Justices empowered to reimburse the Constables for Sums expended by them.

LX. And be it enacted, That it shall be lawful for the Lord Lieutenant or other Chief Governor for the Time being of *Ireland* to depute, by Warrant under his Hand and Seal, some proper Person to sign Routes in Cases of Emergency, for the marching of any of His Majesty's Forces in *Ireland*, in the Name of such Lord Lieutenant or Chief Governor.

Routes in *Ireland*.

LXI. And be it enacted, That all His Majesty's Officers and Soldiers, being in proper Staff or Regimental or Military Uniform, Dress or Undress, and their Horses, (but not when passing in any hired or private Vehicle,) and all Carriages and Horses belonging to His Majesty, or employed in His Service, when conveying Persons or Baggage under the Provisions of this Act, or returning therefrom, and all Recruits marching by Route, shall be exempted from Payment of any Duties and Tolls on embarking or disembarking from or upon any Pier, Wharf, Quay, or Landing Place, or passing Turnpike Roads or Bridges, otherwise demandable by virtue of any Act already made or hereafter to be made; and any Toll Collector who shall demand and receive Toll from any of His Majesty's Officers or Soldiers, they being in proper Staff or Regimental or Military Uniform, Dress or Undress, or for their Horses, every such Toll Collector shall forfeit and pay any Sum not exceeding Five Pounds for every such Offence, for which Forfeiture and Penalty he shall be prosecuted before a Justice of the Peace, and in no other Way; provided that nothing herein contained shall exempt any Boats, Barges, or other Vessels employed in conveying the said Persons, Horses, Baggage, or Stores along any Canal, from Payment of Tolls, in like Manner as other Boats, Barges, and Vessels are liable thereto, except when employed in Cases of Emergency as hereinbefore enacted.

Tolls.

LXII. And be it enacted, That when any Soldiers on Service have Occasion in their March to pass regular Ferries in *Scotland*, the Officer commanding may at his Option pass over with his Soldiers as Passengers, and shall pay for himself and each Soldier One Half only of the ordinary Rate payable by single Persons, or may hire the Ferry Boat for himself and his Party, debarring others for that Time, and shall in such Cases pay only Half the ordinary Rate for such Boat.

Ferries.

Penalties
upon Civil
Subjects
offending
against the
Laws relat-
ing to Billets
and Car-
riages.

LXIII. And be it enacted, That if any Constable or other Person, who by virtue of this Act shall be employed in billeting any Officers or Soldiers in any Part of the United Kingdom, shall presume to billet any such Officer or Soldier in any House not within the Meaning of this Act, without the Consent of the Owner or Occupier thereof; or shall neglect or refuse to billet any Officer or Soldier on Duty, when thereunto required, in such Manner as is by this Act directed, provided sufficient Notice be given before the Arrival of such Troops; or shall receive, demand, or agree for any Money or Reward whatsoever, in order to excuse any Person from receiving such Officer or Soldier; or shall quarter any of the Wives, Children, Men or Maid Servants of any Officer or Soldier in any such Houses, against the Consent of the Occupiers; or shall neglect or refuse to execute such Warrants of the Justices as shall be directed to him for providing Carriages, Horses, or Vessels, or shall demand more than the legal Rates for the same; or if any Person appointed by such Constable to provide Carriages, Horses, or Vessels shall do any Act or Thing by which the Execution of such Warrants shall be hindered; or if any Constable shall neglect to deliver in to the Justices at Quarter Sessions Lists of Officers and Soldiers of the Foot Guards quartered according to the Provisions of this Act, or shall cause to be delivered defective Lists of the same; or if any Person liable by this Act to have any Officer or Soldier quartered upon him shall refuse to receive and to afford proper Accommodation or Diet in the House in which such Officer or Soldier is quartered, and to furnish the several Things directed to be furnished to Officers and Soldiers, or shall neglect or refuse to furnish good and sufficient Stables, together with good and sufficient Hay and Straw, for each Horse, at the Rate established by this Act, and in such Quantities as shall be fixed by His Majesty's Regulations, not exceeding Eighteen Pounds of Hay and Six Pounds of Straw *per Diem* for each Horse; or if any Innkeeper or Victualler not having good and sufficient Stables shall refuse to pay over to the Person or Persons who may provide Stabling such Allowance by way of Compensation as shall be directed by any Justice of the Peace, or shall pay any Sum or Sums of Money to any Soldier on the March in lieu of furnishing in Kind the Diet and Small Beer to which such Soldier is entitled; such Constable, Victualler, or other Person respectively shall forfeit for every such Offence, Neglect, or Refusal, any Sum not exceeding Five Pounds nor less than Forty Shillings.

Penalties
upon the
Military so
offending.

LXIV. And be it enacted, That if any Military Officer shall take upon himself to quarter Soldiers otherwise than is limited and allowed by this Act, or shall use or offer any Menace or Compulsion to or upon any Mayors, Constables, or other Civil Officers, tending to deter and discourage any of them from performing any Part of their Duty under this Act, or tending to induce any of them to do any thing contrary to their said Duty, such Officer shall for every such Offence (being thereof convicted before any Two or more Justices of the County by the Oath of Two credible Witnesses) be deemed and taken to be *ipso facto* cashiered, and shall be utterly disabled to hold any Military Employment in His Majesty's Service; provided that a Certificate

thereof shall be transmitted by the said Justice to the Judge Advocate in *London*, who is hereby required to certify the same to the Commander in Chief and Secretary at War, and that the said Conviction be affirmed at some Quarter Sessions of the Peace of the said County held next after the Expiration of Three Months after such Certificate of the Justice shall have been transmitted as aforesaid; and if any Military Officer shall take, or knowingly suffer to be taken, any Money or Reward of any Person for excusing the quartering of Officers or Soldiers, or shall billet any of the Wives, Children, Men or Maid Servants of any Officer or Soldier in any House, against the Consent of the Occupier, he shall, upon being convicted thereof before a General Court-martial, be cashiered; and if any Officer shall constrain any Carriage to travel beyond the Distance specified in the Justice's Warrant, or shall not discharge the same in due Time for their Return Home on the same Day, if it be practicable, except in the Case of Emergency, for which the Justice shall have given Licence, or shall compel the Driver of any Carriage to take up any Soldier or Servant (except such as are sick) or any Woman to ride therein, except in Cases of Emergency as aforesaid, or shall force any Constable, by threatening Words, to provide Saddle Horses for himself or Servants, or shall force Horses from their Owners, or in *Ireland* shall force the Owner to take any Loading until the same shall be first duly weighed, if the same can be done within reasonable Time, or shall, contrary to the Will of the Owner or his Servant, permit any Person whatsoever to put any greater Load upon any Carriage than is directed by this Act, such Officer shall forfeit for every Offence any Sum not exceeding Five Pounds nor less than Forty Shillings.

LXV. And be it enacted, That any Person who shall unlawfully have in his or her Possession or Keeping, or who shall knowingly detain, buy, exchange, or receive from any Soldier or Deserter, or any other Person, on any Pretence whatsoever, or shall solicit or entice any Soldier, or shall be employed by any Soldier knowing him to be such, to sell, any Arms, Ammunition, Clothes, or Military Furniture, or any Provisions, or any Sheets or other Articles used in Barracks, provided under Barrack Regulations, or Regimental Necessaries, or any Article of Forage provided for any Horses belonging to His Majesty's Service, or shall change the Colour of any Clothes as aforesaid, shall forfeit for every such Offence any Sum not exceeding Twenty Pounds nor less than Five Pounds, together with Treble Value of all or any of the several Articles of which such Offender shall so become possessed; and if any credible Person shall prove on Oath before a Justice of the Peace a reasonable Cause to suspect that any Person has in his or her Possession, or on his or her Premises, any Property of the Description herein-before described, on or with respect to which any such Offence shall have been committed, the Justice may grant a Warrant to search for such Property, as in the Case of stolen Goods: Provided always, that it shall be lawful for the Legislature of each or of any of His Majesty's Colonies, on the Recommendation of the Officer for the Time being administering the Government of any such Colony, but not otherwise, to make Provision

Penalty on
purchasing
Soldiers
Necessaries,
Stores, &c.

by

by Law for reducing such pecuniary Penalty if not exceeding Twenty Pounds nor less than Five Pounds to such Amount as may to any such Legislature appear to be better adapted to the Ability and pecuniary Means of His Majesty's Subjects and others inhabiting the same, which reduced Penalty shall be sued for and recovered in such and the same Manner as the full Penalty hereby imposed: Provided always, that it shall be competent to His Majesty, or to the Person administering the Government of any such Colony on His Majesty's Behalf, to exercise, in respect of the Laws so to be passed as aforesaid, all such Powers and Authorities as are by Law vested in His Majesty or in any such Officer as aforesaid in respect of any other Law made or enacted by any such Colonial Legislature.

Penalty on
unlawful
recruiting.

LXVI. And be it enacted, That all the Persons (except such Recruiting Parties as may be stationed under Military Command) who shall cause to be advertised, posted, or dispersed Bills for the Purpose of procuring Recruits or Substitutes for the Line, Embodied Militia, or *East India* Company's Service, or shall open or keep any House, Place of Rendezvous, or Office, or receive any Person therein under such Bill or Advertisement, as connected with the Recruiting Service, or shall directly or indirectly interfere therewith, without Permission in Writing from the Adjutant General, or from the Directors of the *East India* Company, (as the Case may be,) shall forfeit for every such Offence the Sum of Twenty Pounds.

Penalty on
trafficking
in Commis-
sions.

LXVII. And be it enacted, That every Person, not being an authorized Army Agent, who shall negotiate or act as Agent for and in relation to the Purchase, Sale, or Exchange of any Commission in His Majesty's Forces, shall forfeit for every such Offence the Sum of One hundred Pounds; and every Person, whether authorized or not as an Army Agent, who shall receive any Money or Reward in respect of any such Purchase, Sale, or Exchange, or shall negotiate or receive for any Purpose whatsoever any Money or Consideration where no Price is allowed by His Majesty's Regulations, or any Money or Consideration exceeding the Amount so allowed, shall forfeit One hundred Pounds, and Treble the Value of the Consideration where the Commission is not allowed to be sold, or Treble the Excess of such Consideration beyond the regular Price.

Penalty on
killing Game.

LXVIII. And for the better Preservation of Game and Fish in or near such Places where any Officers shall at any Time be quartered, be it enacted, That every Officer who shall, without Leave in Writing from the Persons entitled to grant such Leave, take, kill, or destroy any Game or Fish in the United Kingdom of *Great Britain* and *Ireland*, and upon Complaint thereof shall be, upon Oath of One or more credible Witnesses, convicted before any Justice, shall for every such Offence forfeit the Sum of Five Pounds.

Officers not
liable to take
Parish Ap-
prentices.

LXIX. And be it enacted, That no Officer of His Majesty's Forces residing in Barracks or elsewhere under Military Law shall be

be deemed liable to have any Parish Poor Child bound Apprentice to him.

LXX. And be it enacted, That any Justice in the United Kingdom, within whose Jurisdiction any Soldier in the Regular Army, or on the permanent Staff of the Militia, having a Wife or Child, shall be billeted, may summon such Soldier before him in the Place where he is billeted, (which Summons he is hereby directed to obey,) and take his Examination in Writing, upon Oath, touching the Place of his last legal Settlement in *England*, and such Justice shall give an attested Copy of such Examination to the Person examined; to be by him delivered to his Commanding Officer, to be produced when required; which said Examination and such attested Copy shall be at any Time admitted in Evidence as to such last legal Settlement before any Justice or at any General or Quarter Sessions, although such Soldier be dead or absent from the Kingdom; provided that in case any Soldier shall be again summoned to make Oath as aforesaid, then, on such Examination or such attested Copy thereof being produced by him or by any other Person on his Behalf, such Soldier shall not be obliged to take any other Oath with regard to his legal Settlement, but shall leave a Copy of such Examination, or a Copy of such attested Copy of Examination, if required.

Mode of
recording a
Soldier's
Settlement.

LXXI. And be it enacted, That the Churchwardens of every Parish in *England* and *Ireland*, and the Constables or other Officers of every Parish or Place in *Scotland*, on receiving a Notification from the Secretary at War of the Names of any Soldiers belonging to the said Parish who have, for meritorious Conduct in the Army, received His Majesty's special Approbation, or who, in consequence of Misconduct, have been dismissed His Majesty's Service with Disgrace, shall affix such Notification on the Outside of the Door of the Church or Chapel belonging to such Parish or Place on the *Sunday* next succeeding the Receipt of the said Notification.

Notification
to Parishes
of good or
bad Conduct
of Soldiers.

LXXII. And be it enacted, That it shall be lawful for the Justice, before whom any Recruit shall be attested before the Expiration of the Term of Service for which he had been hired by his Master, to adjudge to such Recruit a reasonable Proportion of his Wages for the Time he has actually served; and the said Justice shall make an Order for the Payment of the Amount so awarded, and, in case of Neglect or Refusal to pay the same within Four Days, shall issue his Warrant for levying the same by Distress and Sale of the Goods and Chattels of the Master.

Wages of a
Servant
enlisting.

LXXIII. And be it enacted, That when any Persons shall hold any Canteens under proper Authority of the Board of Ordnance, it shall be lawful for any Two Justices, within their respective Jurisdictions, to grant or transfer any Beer, Wine, or Spirit Licence to such Persons, without regard to Time of Year or to the Notices or Certificates required by any Act in respect of such Licences; and the Commissioners of Excise, or their proper Officers, within their respective Districts, shall also grant such Licences as aforesaid;

Licences of
Canteens.

said; and such Persons so holding Canteens, and having such Licences, may sell therein Victuals and Exciseable Liquors, as empowered by such Excise Licence, without being subject to any Penalty or Forfeiture.

Attestation
of Accounts.

LXXIV. And be it enacted, That all Muster Rolls and Pay Lists which are required to be verified by Declaration shall be so verified before and attested by any Justice, without Fee or Reward to himself or to his Clerk.

Forms of
Actions at
Law.

LXXV. And be it enacted, That any Action which shall be brought against any Person for any thing to be done in pursuance of this Act shall be brought within Six Months, and it shall be lawful for every such Person to plead thereunto the General Issue of Not Guilty, and to give all special Matter in Evidence to the Jury which shall try the Issue; and if the Verdict shall be for the Defendant in any such Action, or the Plaintiff therein become nonsuited or suffer any Discontinuance thereof, or if, in *Scotland*, such Court shall see fit to assolzie the Defendant or dismiss the Complaint, the Court in which the said Matter shall be tried shall allow unto the Defendant Treble Costs, for which the said Defendant shall have the like Remedy as in other Cases where Costs by the Laws of this Realm are given to Defendants; and every Action against any Person for any thing to be done in pursuance of this Act, or against any Member or Minister of a Court-martial in respect of any Sentence of such Court, or of any thing done by virtue or in pursuance of such Sentence, shall be brought in some of the Courts of Record at *Westminster* or in *Dublin*, or the Court of Session in *Scotland*, and in no other Court whatsoever.

Recovery of
Penalties.

LXXVI. And be it enacted, That all Offences for which any Penalties and Forfeitures are by this Act imposed not exceeding Twenty Pounds, over and above any Forfeiture of Value or Treble Value, shall and may be determined, and such Penalties and Forfeitures and Forfeiture of Value or Treble Value recovered, in every Part of the United Kingdom, by One or more Justice or Justices of the Peace, under the Provisions of an Act passed in the Third Year of the Reign of His late Majesty, intituled *An Act to facilitate summary Proceedings before Justices of the Peace and others*, and of another Act passed in the Fifth Year of the Reign of His late Majesty King George the Fourth, intituled *An Act for the more effectual Recovery of Penalties before Justices and Magistrates on Conviction of Offenders, for facilitating the Execution of Warrants by Constables*: Provided always, that in all Cases in which there shall not be sufficient Goods whereon any Penalty or Forfeiture can be levied, the Offender may be committed and imprisoned for any Time not exceeding Six Months; which said recited Acts shall be used and applied, in *Scotland*, for the Recovery of all such Penalties and Forfeitures, as fully, to all Intents, as if the said recited Acts had extended to *Scotland*, any thing in the said recited Acts to the contrary notwithstanding; and all such Offences committed in the *British Isles*, or in any of His Majesty's Dominions beyond the Seas, may be determined, and the

the Penalties and Forfeitures and Forfeiture of Value or Treble Value recovered, before any Justices of the Peace, or Persons exercising like Authority, according to the Laws of the Part of His Majesty's Dominions in which the Offence shall be committed; and all Penalties and Forfeitures by this Act imposed exceeding Twenty Pounds shall be recovered by Action in some of the Courts of Record at *Westminster* or in *Dublin*, or in the Court of Sessions in *Scotland*, and in no other Court in the United Kingdom, and may be recovered in the *British Isles*, or in any other Parts of His Majesty's Dominions, in any of the Royal or Superior Courts of such Isles or other Parts of His Majesty's Dominions.

LXXVII. And be it enacted, That one Moiety of every Penalty, not including any Treble Value of any Articles, adjudged or recovered under the Provisions of this Act, shall go to the Person who shall inform or sue for the same, and the Remainder of the Penalty, together with the Treble Value of any Articles, or, where the Offence shall be proved by the Person who shall inform, the Whole of the Penalty, shall be paid to the General Agent for the Recruiting Service in *London* or *Dublin*, as the Case may be, to be at the Disposal of the Secretary at War, any thing in an Act passed in the Fifth and Sixth Year of the Reign of His present Majesty, intituled *An Act to provide for the Regulation of Municipal Corporations in England and Wales*, or in any other Act or Acts of Parliament to the contrary notwithstanding; and every Justice who shall adjudge any Penalty under this Act shall, within Four Days at the farthest, report the same to the Secretary at War.

Appropriation of Penalties.

5 & 6 W. 4. c. 76.

LXXVIII. And be it enacted, That all Oaths which are authorized and required by this Act may be administered (unless where otherwise provided) by any Justice of the Peace, or Magistrate acting as such; and that any Person taking a false Oath in any Case wherein an Oath is required to be taken by this Act shall be deemed guilty of wilful and corrupt Perjury, and being thereof duly convicted shall be liable to such Pains and Penalties as by any Laws now in force any Persons convicted of wilful and corrupt Perjury are subject and liable to.

Administration of Oaths.

Perjury.

LXXIX. And be it enacted, That this Act shall be and continue in force within *Great Britain* from the Twenty-fifth Day of *April* One thousand eight hundred and thirty-seven inclusive until the Twenty-fifth Day of *April* One thousand eight hundred and thirty-eight; and shall be and continue in force within *Ireland*, and in *Jersey*, *Guernsey*, *Alderney*, *Sark*, and *Isle of Man*, and the Islands thereto belonging, from the First Day of *May* One thousand eight hundred and thirty-seven inclusive until the First Day of *May* One thousand eight hundred and thirty-eight; and shall be and continue in force within the Garrison of *Gibraltar*, the *Mediterranean*, and in *Spain* and *Portugal*, from the First Day of *August* One thousand eight hundred and thirty-seven inclusive until the First Day of *August* One thousand eight hundred and thirty-eight; and shall be and continue in force in all other Parts of *Europe* where His Majesty's Forces

Duration of Act.

7° GULIELMI IV. Cap.7.

Forces may be serving, and in the *West Indies* and *America*, from the First Day of *September* One thousand eight hundred and thirty-seven inclusive to the First Day of *September* One thousand eight hundred and thirty-eight; and shall be and continue in force within the *Cape of Good Hope*, the *Isle of France* or *Mauritius* and its Dependencies, *Saint Helena*, and the Western Coast of *Africa*, from the First Day of *January* One thousand eight hundred and thirty-eight inclusive to the First Day of *January* One thousand eight hundred and thirty-nine; and shall be and continue in force in all other Places from the First Day of *February* One thousand eight hundred and thirty-nine inclusive to the First Day of *February* One thousand eight hundred and forty: Provided that this Act shall, from and after the Receipt and Promulgation thereof in General Orders in any Part of His Majesty's Dominions beyond the Seas, become and be in full Force; any thing herein-before contained to the contrary notwithstanding.

Alteration
of the Act.

• LXXX. And be it enacted, That this Act may be altered, varied, or repealed by any Act or Acts to be passed in this Session of Parliament.

SCHEDULES to which this Act refers.

FORM of OATHS to be taken by MEMBERS of COURTS-MARTIAL.

YOU shall well and truly try and determine according to the Evidence in the Matter now before you. So help you GOD.

I do swear, That I will duly administer Justice, according to the Rules and Articles for the better Government of His Majesty's Forces, and according to an Act now in force for the Punishment of Mutiny and Desertion, and other Crimes therein mentioned, without Partiality, Favour, or Affection, and if any Doubt shall arise which is not explained by the said Articles or Act, according to my Conscience, the best of my Understanding, and the Custom of War in the like Cases : And I further swear, That I will not divulge the Sentence of the Court until it shall be duly approved ; neither will I, upon any Account, at any Time whatsoever, disclose or discover the Vote or Opinion of any particular Member of the Court-martial, unless required to give Evidence thereof as a Witness by a Court of Justice or a Court-martial in due Course of Law. So help me GOD.

FORM of OATH of JUDGE ADVOCATE.

I do swear, That I will not, upon any Account whatsoever, disclose or discover the Vote or Opinion of any particular Member of the Court-martial, unless required to give Evidence thereof as a Witness by a Court of Justice or a Court-martial in a due Course of Law. So help me GOD.

QUESTIONS to be put separately by the JUSTICE to a RECRUIT :

Enlisting for unlimited Service.

1. What is your Name ?
2. In what Parish, and in or near what Town, and in what County, were you born ?
3. What is your Age ?
4. What is your Trade or Calling ?
5. Are you an Apprentice ?
6. Are you married ?

S

7. Are ..

7° GULIELMI IV. Cap. 7.

7. Are you ruptured or lame; have you ever been subject to Fits; or have you any Disability or Disorder which impedes the free Use of your Limbs, or unfits you for ordinary Labour?
8. Are you willing to be attested to serve in the
Regiment of _____ until you shall legally be
discharged?
9. On what Day and by whom were you enlisted?
10. For what Bounty did you enlist?
11. Do you now belong to the Militia?
12. Do you belong to any other Regiment, or to the Marines,
Ordnance, or Navy?
13. Have you ever served in the Army, Marines, Ordnance, or
Navy?

Note.—The Justice is directed, in putting the Eleventh Question to the Recruit, and before he receives his Answer, distinctly to apprise the Recruit that if he belongs to the Militia, and denies the Fact, he is liable to Six Months Imprisonment.

Enlisting for limited Service.

The preceding Questions to be put by the Justice, except Question 8, which is to be as follows:

8. Are you willing to be attested to serve in the
Regiment of _____ for the Period of
[*this Blank to be filled up by the Justice with Seven Years for
Infantry, Ten Years for Cavalry, and Twelve Years for the
Artillery, if the Person enlisted is of the Age of Eighteen Years
or upwards; but if under the Age of Eighteen Years, then the
Difference between his Age and Eighteen to be added to such
Seven, Ten, or Twelve Years, as the Case may be,*] Years,
provided His Majesty should for so long require your Service,
and also for such further Term, not exceeding Six Months, as
shall be directed by the Commanding Officer on any Foreign
Station, and not exceeding Three Years, as shall be directed
by any Proclamation of His Majesty, such additional Period,
in the latter Case, to determine whenever Six Months of
continued Peace, to be reckoned from the Ratification of any
definitive Treaty, shall have elapsed subsequent to the Expi-
ration of the said [*Seven, Ten, or Twelve, as the Case may be,*]
Years?

*Enlisting for either His Majesty's or the East India Company's
Service.*

Question 8 is to be put by the Justice as follows:

8. Are you willing to be attested to serve in His Majesty's Army,
or in the Forces of the *East India* Company, according as His
Majesty shall think fit to order, until you shall be duly and
legally discharged?

Enlisting for the East India Company's Service.

Question 8 to be put by the Justice as follows :

8. Are you willing to be attested to serve the *East India Company* until you shall be legally discharged? [*Or if the Recruit enlist for limited Service then insert, for the Period of Twelve Years, [if the Person enlisting is of the Age of Eighteen Years or upwards, but if under Eighteen Years, then the Difference between his Age and Eighteen to be added to such Twelve Years, as the Case may be, and such Period to be inserted instead of Twelve Years,]* provided the said United Company should so long require your Service.

OATH to be taken by a RECRUIT enlisting for unlimited or limited
• Service.

I do make Oath, That the above Questions have been separately put to me; that the Answers thereto have been read over to me; and that they are the same that I gave, and are true.

I do also make Oath, That I will be faithful and bear true Allegiance to His Majesty, His Heirs and Successors, and that I will, as in Duty bound, honestly and faithfully defend His Majesty, His Heirs and Successors, in Person, Crown, and Dignity, against all Enemies, and will observe and obey all Orders of His Majesty, His Heirs and Successors, and of the Generals and Officers set over me.

So help me GOD.

Witness my Hand

Signature of Recruit.

Witness present.

Sworn before me at this
Day of One thousand eight
hundred and

Signature of Justice

If enlisting for either His Majesty's or the East India Company's Service, the following Addition is to be made to the foregoing Oath.

And that if His Majesty, His Heirs or Successors, shall please to appoint me to serve in the Forces of the *East India Company*, then I swear, that I will also be true to the said United Company, and will duly observe and obey all their Orders, and the Orders of their Generals and Officers who shall be lawfully set over me.

If

7° GULIELMI IV. Cap.7.

If enlisting for the East India Company's Service, the following is to be added to the Oath.

And that I will also be true to the said United Company, and will duly observe and obey all their Orders, and the Orders of their Generals and Officers who shall be lawfully set over me.

CERTIFICATE to be given by the JUSTICE.

Description of

Age, apparently		
Height	Feet.	Inches.
Complexion,		
Eyes,		
Hair,		

Any distinctive Mark.

to wit. } I of the Peace of one of His Majesty's Justices do hereby certify,
That the above is the Description of the Recruit
and in my Presence all the foregoing Questions were put to the said ; that the Answers written opposite to them are those which he gave to me ; and that the First and Second Articles of the Second Section of the Articles of War were read over to him ; that he took the Oath of Allegiance and Fidelity ; that he received the Sum of on being attested this Day ; and that I have given him a Duplicate of this Certificate, signed with my Name.

Signature of the Justice.

FORM of OATH to be taken by a MASTER whose Apprentice has absconded.

I a of do make Oath, That I am by Trade
to me in the said Trade, by Indenture dated the Day of
for the Term of Years ; and that the said did on
or about the Day of abscond and quit my Service
without my Consent ; and that to the best of my Knowledge and
Belief the said is aged about Years. Witness my
Hand at the Day of One thousand eight
hundred and

Sworn before me at this
Day of One thousand eight
hundred and }

FORM of JUSTICE'S CERTIFICATE to be given to the MASTER
of an Apprentice.

to wit. } I of one of His Majesty's Justices of the Peace
certify, That of
came before me at the Day of One
thousand eight hundred and , and made Oath that he
was by Trade a , and that was bound to
serve as an Apprentice to him in the said Trade, by Indenture dated
the Day of for the Term of . Years; and
that the said Apprentice did on or about the Day of
abscond and quit the Service of the said without his
Consent, and that to the best of his Knowledge and Belief the
said Apprentice is aged about Years.

FORM of DECLARATION of ATTESTATION of a COMMISSARY'S
ACCOUNTS.

I do solemnly and sincerely declare, That
I have not applied any Money or Stores or Supplies, under my Care
or Distribution, to my own Use, or to the private Use of any other
Person by way of Loan to such Person or otherwise, or in any
Manner applied them, or knowingly permitted them to be applied,
to any other than public Purposes according to the Duty of my
Office; and I make this solemn Declaration conscientiously believing
the same to be true, and by virtue of the Provisions of an Act passed
in the Fifth and Sixth Years of the Reign of His Majesty King
William the Fourth, Chapter 62, for the Abolition of unnecessary
Oaths, and for substituting Declarations in lieu thereof.

Declared before me by the within-named }
this Day of }

Justice of the Peace for the County of
, or Commander in Chief, or
Second in Command, et cætera, the
Army serving in et cætera,
[as the Case may be.]

DESCRIPTION RETURN of
as a Deserter from the

committed to Confinement at
Battalion of the

Regiment of
on the

Day of

Age.	Size.		Complexion.	Colour of		Marks.	Probable Date of Enlistment, and in what District.	Probable Date of Desertion, and from whence.	Name, Occupation, and Address of Person by whom apprehended.	Particulars of the Evidence upon which the Prisoner is committed.	Whether the Prisoner confessed before the Magistrate that he is a Deserter.
	Feet.	Inches.		Hair.	Eyes.						

I do hereby certify, that the Prisoner has been duly examined before me as to the Circumstances herein stated, and has declared in my Presence that he * a Deserter from the before-mentioned Corps.

* I certify that I have inspected the Prisoner, and consider him fit for active Service.

Signature of Surgeon.

Signature and Address of Magistrate.

Signature of Prisoner.

Signature of Informer.

* Insert "is" or "is not," as the Case may be.

* If a Military Medical Officer be at or near the Place, he will inspect the Deserter, and report as to his Fitness for Military Service.



ANNO SEPTIMO

GULIELMI IV. REGIS.

C A P. VIII.

An Act for the Regulation of His Majesty's Royal
Marine Forces while on Shore.

[21st April 1837.]

WHEREAS it is judged necessary for the Safety of the United Kingdom, and the Defence of the Possessions of this Realm, that a Body of Royal Marine Forces should be employed in His Majesty's Fleet and Naval Service, under the Direction of the Lord High Admiral of the said United Kingdom, or the Commissioners for executing the Office of Lord High Admiral aforesaid: And whereas the said Forces may frequently be quartered or be on shore, or sent to do Duty or be on board Transport Ships, or Merchant Ships or Vessels, or Ships or Vessels of His Majesty, or other Ships or Vessels, or they may be under other Circumstances in which they will not be subject to the Laws relating to the Government of His Majesty's Forces by Sea: And whereas no Man can be forejudged of Life or Limb, or subjected in Time of Peace to any Kind of Punishment within this Realm, by Martial Law; or in any other Manner than by the Judgment of his Peers, and according to the known and established Laws of this Realm; yet nevertheless, it being requisite for the retaining of such Forces in their Duty that an exact Discipline be observed, and that Marines who shall mutiny or stir up Sedition, or shall desert His Majesty's Service, or be guilty of any other Crime in breach of good Order and Discipline, be brought to a more exemplary and speedy Punishment than the usual Forms of the

Crimes punishable by Death.

the Law will allow: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the Twenty-fifth Day of *April* One thousand eight hundred and thirty-seven, if any Person who is or shall be commissioned or in Pay as an Officer of Royal Marines, or who is or shall be listed or in Pay as a Non-commissioned Officer, Drummer, or Private Man in His Majesty's Royal Marine Forces, shall at any Time during the Continuance of this Act, while on shore in any Place within the said Kingdom, or in any other of His Majesty's Dominions, or in any Foreign Parts out of such Dominions, or on board any Transport Ship, or Merchant Ship or Vessel, or any Ship or Vessel of His Majesty, or on board any Convict Hulk or Ship, or any other Ship or Vessel, or in any other Place, or while being in any Circumstances in which he shall not be subject to the Laws relating to the Government of His Majesty's Forces by Sea, begin, excite, cause, or join in any Mutiny or Sedition in His Majesty's Marine or other Forces, or shall not use his utmost Endeavours to suppress any such Mutiny or Sedition, or coming to the Knowledge of any Mutiny or intended Mutiny shall not without Delay give Information thereof to his Commanding Officer; or shall misbehave himself before the Enemy; or shall shamefully abandon or deliver up any Garrison, Fortress, Post, or Guard committed to his Charge or which he shall be commanded to defend; or shall compel the Governor or Commanding Officer of any Garrison, Fortress, or Post to deliver up to the Enemy or to abandon the same; or shall speak Words or use any other Means to induce such Governor or Commanding Officer or any other to misbehave before the Enemy, or shamefully to abandon or deliver up any Garrison, Fortress, Post, or Guard committed to their respective Charge, or which he or they shall be commanded to defend; or shall leave his Post before relieved, or shall be found sleeping on his Post; or shall hold Correspondence with or give Advice or Intelligence to any Rebel, Pirate, or Enemy of His Majesty, either by Letters, Messages, Signs, Tokens, or any other Ways or Means whatever; or shall treat or enter into any Terms with any such Rebel, Pirate, or Enemy, without the Licence of the Lord High Admiral of the said United Kingdom, or the Commissioners for executing the Office of Lord High Admiral aforesaid for the Time being; or shall strike or use, or offer any Violence against his Superior Officer being in the Execution of his Office, or shall disobey any lawful Command of his Superior Officer; or shall desert His Majesty's Service; every Person so offending in any of the Matters before mentioned shall suffer Death, or such other Punishment as by a Court-martial shall be awarded.

The ordinary Course of Law not to be interfered with.

II. Provided always, and be it further enacted, That nothing in this Act contained shall be construed to exempt any Officer or Marine from being proceeded against by the ordinary Course of Law for Crimes thereby cognizable; and any Commanding Officer who shall neglect or refuse, when due Application shall be made to him for that Purpose, to deliver over to the Civil Magistrate any Officer or Marine charged with any Capital Crime, or with any Violence or Offence against the Person or Property of any of His Majesty's Sub-

jects punishable by the known Laws of the Land, or who shall wilfully neglect or refuse to assist any Peace Officer in apprehending any such Offender, shall, upon Conviction thereof in any of His Majesty's Courts at *Westminster, Dublin, or Edinburgh*, be deemed to be *ipso facto* cashiered, and shall be utterly disabled to hold any Civil or Military Office or Employment in His Majesty's Service; and a Certificate of such Conviction shall be transmitted to the Secretary of the Admiralty: Provided always, that no Person who shall have been tried before any of the ordinary Courts of Law for any Crime cognizable in such Courts shall be liable to be punished for the same by any Court-martial otherwise than by cashiering.

III. And be it enacted, That no Person enlisted in His Majesty's Service as a Marine shall be liable to be arrested or taken therefrom by the Warrant of any Magistrate or other Process for not supporting or for leaving chargeable on any Parish, Township, or Union any Wife or any Child or Children, nor, except in the Case of an Apprentice, on account of any Breach of Contract or Engagement to serve or work for any Employer; and that no Marine shall be liable to be arrested and taken out of His Majesty's Service for Debt by any Process or Execution whatsoever, unless an Affidavit shall be first duly made and filed by the Plaintiff in the Suit, or by some one on his Behalf, for which no Fee shall be taken, that the original Debt for which the Action has been brought amounts to the Sum of Thirty Pounds at least, over and above all Costs in that or any other Action, a Memorandum of which Oath shall be marked on the Back of such Process and of the Warrant grounded thereon; and in case any Person shall nevertheless contrary hereto be arrested, it shall be lawful for any Judge of the Court out of which the Process shall have issued, and he is hereby required, upon Complaint made by the Person arrested, or by his Superior Officer, and upon due Proof thereof being made to him that such Arrest was made contrary to the Intent and Meaning of this Act, to discharge the Person soarrested out of Custody, and also to award to the Party complaining such Costs as such Judge shall think reasonable; for the Recovery whereof he shall have the like Remedy by Writ of Execution as that which the Plaintiff in the Suit might have had in case Judgment had been given for him in the Action.

Marines not to be taken away from the Service for Debts under 30*l*.

IV. And be it enacted, That it shall be lawful for the said Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral aforesaid, to make, ordain, and establish Rules and Articles of War under the Hand of the said Lord High Admiral, or under the Hands of any Two or more of the said Commissioners, for the better Government of His Majesty's Royal Marine Forces, and for the Punishment of Mutiny, Desertion, Immorality, Breach of Discipline, Misbehaviour, Neglect of Duty, and any other Offence or Misconduct of which they shall be guilty, in any Place on shore or afloat in or out of His Majesty's Dominions, or at any Time when or under any Circumstances in which they shall not be amenable to the Laws for the Government of His Majesty's Ships, Vessels, and Forces by Sea, or to the Discipline of the Royal Navy, which Rules and Articles shall be judicially taken notice of by all Judges and . . .

Lord High Admiral, &c. may make Articles, for the Punishment of Mutiny, Desertion, &c.

and in all Courts whatsoever; and Copies of the same shall, as soon as conveniently may be after the same shall have been made, be transmitted by the Secretary of the Admiralty for the Time being (certified under his Hand) to the Judges of His Majesty's Superior Courts at *Westminster*, *Dublin*, and *Edinburgh* respectively, and also to the Governors of His Majesty's Dominions Abroad: Provided always, that no Person shall be subject by such Rules and Articles to any Punishment extending to Life or Limb for any Crime which is not expressed to be so punishable by this Act, nor in any Manner nor under any Regulations which shall not accord with the Provisions of this Act.

Lord High
Admiral, &c.
may grant
Commissions
for holding
General
Courts-mar-
tial, &c.

V. And be it enacted, That it shall be lawful for the said Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral aforesaid, from Time to Time to grant Commissions or Warrants under the Hand of the said Lord High Admiral, or under the Hands of any Two or more of the said Commissioners, for the holding of General and other Courts-martial within the United Kingdom of *Great Britain* and *Ireland*, in like Manner as has been heretofore used; and for bringing Offenders against the Articles of War to Justice, and to erect and constitute Courts-martial, as well within the said United Kingdom and the *British Isles* as in any of His Majesty's Garrisons or Dominions, or elsewhere beyond the Seas, and to grant Commissions or Warrants to the Officer or Officers commanding in chief or commanding for the Time being any of His Majesty's Royal Marine Forces, as well within the said United Kingdom as elsewhere beyond the Seas, for convening, as well as for authorizing any Officer not below the Degree of a Field Officer to convene, Courts-martial, as Occasion may require, for the Trial of Offences committed by any of the Royal Marine Forces under their Command, whether the same shall have been committed before or after such Officer shall have taken upon himself such Command; and any Person subject to this Act, who shall in any of His Majesty's Dominions beyond the Seas or elsewhere commit any of the Offences for which he may be liable to be tried by Court-martial by virtue of this Act, may be tried and punished for the same in any other Part of His Majesty's Dominions where he may have come after the Commission of the Offence, as if the Offence had been committed where such Trial shall take place.

Composition
of General
Courts-
martial.

VI. And be it enacted, That a General Court-martial convened in any Part of the King's Dominions, (*Bermuda*, the *Bahamas*, *Africa*, and the *Australian Colonies* excepted,) or in the Settlements of the *East India Company*, or elsewhere, shall consist of not less than Thirteen Commissioned Officers, and if convened in *Bermuda* or the *Bahamas*, or out of the King's Dominions (excepting *Africa* and the *Australian Colonies*), shall have not less than Seven, and in *Africa* and the *Australian Colonies* not less than Five Commissioned Officers; and in all Cases no Judgment of Death shall pass without the Concurrence of Two Thirds at the least of the Members present; and the President shall in no Case be the Officer commanding in chief or Governor of the Garrison where the Offender shall be tried, nor under the Degree of a Field Officer, unless where a Field Officer cannot

cannot be had, nor in any Case whatsoever under the Degree of a Captain.

VII. And be it enacted, That all and every Court-martial shall have Power and Authority and is hereby required to administer the requisite Oath, in the usual Form, to every Person who shall be examined as a Witness before any such Court-martial, previous to his giving Evidence thereat. Courts-martial to administer Oaths.

VIII. And be it enacted, That in all Trials by General Courts-martial to be held by virtue of this Act, every Member of such Court shall, before any Proceedings be had thereupon, take the Oaths for that Purpose set forth in the Schedule to this Act annexed, before the Judge Advocate or Person officiating as such, and on Trials by other Courts-martial before the President thereof, who are hereby respectively authorized to administer the same; and so soon as such Oaths shall have been administered to the respective Members, the President of the Court (having himself taken the said Oath, to be administered to him by any sworn Member,) is hereby authorized and required to administer to the Judge Advocate, or the Person officiating as such, the Oath in the Schedule to this Act for that Purpose annexed; and that no Proceeding or Trial shall be had upon any Offence but between the Hours of Eight of the Clock in the Morning and Four in the Afternoon, except in Cases which may require an immediate Example, and except in the *East Indies*, where such Trial may be held between the Hours of Six in the Morning and Four in the Afternoon. Proceedings of Courts-martial.

IX. And whereas it may be expedient in many Cases that Officers of the Land Forces should be associated with Royal Marine Officers for the Purpose of holding Courts-Martial; be it enacted, That when and as often as it shall be deemed necessary it shall and may be lawful for Officers of Royal Marines and of the Land Forces to sit in conjunction on any Court-martial to be held under the Authority of this Act, and to proceed on the Trial of any Marine Officer, Non-commissioned Officer, Drummer, or Private Man, in like Manner to all Intents and Purposes as if such Court-martial were composed of Marine Officers only, and whether the Officer by whose Order such Court-martial is assembled belong to the Land or the Marine Forces; and the Officers composing such Court shall in such Cases take Rank according to the Seniority of their Commissions in either Service. Officers of the Marine and Land Forces may sit in conjunction on Courts-martial.

X. And be it enacted, That a General Court-martial may sentence any Marine to Imprisonment, solitary or otherwise, and with or without hard Labour, in any public Prison or other Place which the Court may appoint, or to Corporal Punishment not extending to Life or Limb, for Immorality, Misbehaviour, or Neglect of Duty; and a General Court-martial may, in addition to any such Punishment as aforesaid, sentence any Offender to Forfeiture of all Advantage as to additional Pay, and Pension on Discharge; and whensoever any General Court-martial by which any Marine shall have been tried and convicted of any Offence punishable with Death shall General Courts-martial may sentence Offenders to Imprisonment, &c.

shall not think the Offence deserving of Capital Punishment, such Court-martial may, instead of awarding a Corporal Punishment or Imprisonment, adjudge the Offender, according to the Degree of the Offence, to be transported as a Felon for Life or for a certain Term of Years, or to general Service as a Soldier in any Corps and in any Country or Place which His Majesty shall be pleased to direct, or if such Offender shall have enlisted for any limited Term, may sentence him to serve for Life as a Soldier in any Corps which His Majesty shall be pleased to direct; and such Court may, in addition to any other Punishment, sentence any such Offender to forfeit all Advantage as to Increase of Pay, or as to Pension on Discharge, which might otherwise have accrued to such Offender: Provided always, that in all Cases where a Capital Punishment shall have been awarded by a General Court-martial it shall be lawful for His Majesty, instead of causing such Sentence to be carried into execution, to order the Offender to be transported as a Felon, either for Life or for a certain Term of Years, as to His Majesty shall seem meet; and if any Person who shall have been so adjudged or ordered to be transported, whether by the Sentence of a Court-martial or in pursuance of such Order of His Majesty, shall afterwards, without Licence from His Majesty or other lawful Authority, return to or be found at large in any Part of His Majesty's Dominions, either Abroad or at Home, other than the Place to which he shall have been adjudged or ordered to be transported, before the Expiration of the Term limited by such Sentence or Order, any such Offender, being duly convicted thereof, shall suffer Death as a Felon.

District or
Garrison
Courts-mar-
tial

XI. And be it enacted, That a District or Garrison Court-martial shall consist of not less than Seven Commissioned Officers, except in *Bermuda*, the *Bahamas*, *Africa*, and the *Australian Colonies*, where it may consist of not less than Five Commissioned Officers; and that it shall be lawful for such Court, although assembled under the Authority of an Act of the present Session of Parliament, for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters, to proceed to try any Marine or Marines below the Rank of a Commissioned Officer for any Offence committed by any of them while serving in conjunction with His Majesty's Land Forces, and to sentence any such Marine to any Imprisonment, solitary or otherwise, and with or without hard Labour, in any public Prison or other Place which such Court may appoint, or to Corporal Punishment not extending to Life or Limb, for Immorality, Misbehaviour, or Neglect of Duty; and such Court may, in addition to either of the said Punishments, sentence a Marine to Forfeiture of all Advantage as to additional Pay, and to Pension on Discharge, for disgraceful Conduct in wilfully maiming or injuring himself, or any other Marine at the Instance of such Marine, with Intent to render himself or such other Marine unfit for the Service; in tampering with his Eyes; in malingering, feigning Disease, absenting himself from Hospital while under Medical Care, or other gross Violation of the Rules of any Hospital, thereby wilfully producing or aggravating Disease or Infirmary, or wilfully delaying his Cure; in purloining or selling Government Stores; in stealing any Money or Goods the Property of a Comrade, of a Military Officer, or of any Military or Divisional

or Regimental Mess; in producing false or fraudulent Accounts or Returns; in embezzling or fraudulently misapplying Public Money intrusted to him; or for any other disgraceful Conduct, being of a cruel, indecent, unnatural, felonious, or fraudulent Nature; and such Offender may be further put under Stoppages, not exceeding Two Thirds of his daily Pay, until the Amount be made good of any Loss or Damage arising out of his Misconduct; and if any Marine shall be convicted of any such disgraceful Conduct, and shall be sentenced to Forfeiture of his Claim to Pension, the Court may further recommend him to be discharged with Ignominy from His Majesty's Service; and any such Court shall deprive a Marine, if convicted of the Charge of habitual Drunkenness, of his Liquor when issued in Kind or of his Allowance in lieu of Beer or Liquor, or of additional Pay, or of such Portion of his daily Pay, for any Period not exceeding Two Years, as may accord with the Rules and Articles of War, subject to Restoration on subsequent good Conduct; and in addition to any such Punishment, the Court may, if it shall think fit, sentence such Offender to Imprisonment or to Corporal Punishment; provided that in all the foregoing Cases the Sentence of a District or Garrison Court-martial shall be confirmed by the General Officer, Governor, or Senior Officer in command of the District, Garrison, Island, or Colony; and the President of every Court-martial other than a General Court-martial, not being under the Rank of Captain, shall be appointed by the Officer convening such Court-martial: Provided always, that such Court-martial shall not have Power to pass any Sentence of Death or Transportation.

XII. And be it enacted, That in Cases of Mutiny and gross Insubordination, or any Offences committed on the Line of March, the Offence may be tried by a Divisional Court-martial, and the Sentence confirmed and carried into execution on the Spot by the Officer in the immediate Command of the Troops; provided that the Sentence shall not exceed that which a Divisional Court-martial is competent to award; and a Divisional Court-martial may sentence any Marine to Imprisonment, with or without hard Labour, for any Period not exceeding Thirty Days, and to solitary Confinement not exceeding Twenty Days.

Divisional
Courts-
martial.

XIII. And be it enacted, That it shall be lawful for any Officer commanding any distinct Detachment or Portion of His Majesty's Royal Marine Forces which may at any Time be serving out of His Majesty's Dominions, upon Complaint made to him of any Offence committed against the Property or Person of any Inhabitant of or Resident in any such Countries by any Person under the immediate Command of any such Officer, to summon and cause to be assembled a Court-martial, which shall consist of not less than Three Officers, for the Trial of any such Person, notwithstanding such Officer shall not have received any Warrant empowering him to assemble Courts-martial; and every such Court-martial shall have the same Powers in regard to summoning and examining Witnesses, Trial of and Sentence upon Offenders, as are granted by this Act to General Courts-martial: Provided that no Sentence of any such Court-martial shall be executed until the General commanding in chief the

Detachment
Courts-
martial.

the Army to which the Division, Brigade, Detachment, or Party to which any Person so tried shall belong shall have approved and confirmed the same.

Marking a
Deserter.

XIV. And be it enacted, That every Marine convicted of Desertion by any Court-martial, or of Felony in any Court of Criminal Judicature, shall thereupon forfeit all Advantage as to additional Pay, and to Pension on Discharge, in addition to any other Punishment which such Court may award; and it shall be lawful for any General Court-martial assembled to try the Crime of Desertion, in addition to any other Punishment such Court may award, to direct that the Offender be marked on the Left Side, Two Inches below the Arm Pit; with the Letter D, such Letter not to be less than Half an Inch long, and to be marked on the Skin with some Ink or Gunpowder, or other Preparation, so as to be visible and conspicuous, and not liable to be obliterated.

Trial and
Punishment
for Em-
bezzlement.

XV. And be it enacted, That every Officer and other Person employed in the Care or Distribution of any Money, Provisions, Forage, or Stores belonging to His Majesty's Royal Marine Forces or for their Use, who shall embezzle or fraudulently misapply, or cause to be embezzled or fraudulently misapplied, or shall wilfully suffer any Money, Provisions, Forage, Arms, Clothes, Ammunition, or other Military or Royal Marine Stores to be embezzled or fraudulently misapplied, or to be spoiled or damaged, may be tried for the same by a General Court-martial, which is hereby empowered to adjudge any such Offender to be transported as a Felon for Life or for any certain Term of Years, or to suffer such Punishment of Fine, Imprisonment, Dismissal from His Majesty's Service, with Incapacity of serving His Majesty in any Office, Civil or Military, as such Court shall think fit, according to the Nature and Degree of the Offence; and that such Person shall, in addition to any other Punishment, make good at his own Expence the Loss and Damage thereby sustained, to be ascertained by such Court-martial, which shall have Power to sentence the Offender to be imprisoned until the same, and any Fine which may be imposed, be paid and satisfied to His Majesty.

Witnesses.

XVI. And be it enacted, That all Witnesses, whether Military or otherwise, duly summoned by the Judge Advocate, or the Person appointed to officiate as such, or by the President of a District, Garrison, or Divisional Court-martial, or by the Adjutant at the Head Quarters of the Division at which such Court shall be appointed to be held, to give Evidence on any Court-martial, shall during their necessary Attendance in such Courts, and in going to and returning from the same, be privileged from Arrest, and shall, if nevertheless arrested contrary to the Intent of this Act, be forthwith discharged out of Custody by the Order of the Court out of which the Writ or Process for such Arrest was issued; and if such Court shall not be then sitting, then by the Order of any Judge of the Court of King's Bench at *Westminster* or *Dublin*, or of the Courts of Session in *Scotland*, or Courts of Law elsewhere, as the Case may require, upon its being made appear to such Court or Judge, by Affidavit in a summary Way, that such Witness was arrested in going to or returning from

or attending such Court-martial : and every Person so duly summoned as a Witness who shall not attend, or attending shall refuse to be sworn, or being sworn shall refuse to give Evidence at any such Court-martial, or to answer all such Questions as the Court may legally demand of him, shall be liable to be attached, proceeded against, and punished in the Court of King's Bench at *Westminster* or *Dublin*, or Court of Session or other Court of Law, or elsewhere, in the same Manner as Persons disobeying the Subpœna to testify, or any similar Process of such Courts, are liable to be proceeded against and punished.

XVII. And be it enacted, That whenever His Majesty shall intend any Sentence of Transportation to be carried into execution, or shall be graciously pleased to extend His Royal Mercy, upon Condition of Transportation, to any Offender subject to the Punishment of Death by the Sentence of a General Court-martial, or when any Offender shall by Sentence of Court-martial under this Act be adjudged to be transported, such Sentence (together with His Majesty's Pleasure upon the same, in Cases of Commutation of Sentence,) shall be notified in Writing by the Lord High Admiral, or by any Two or more of the Commissioners for executing the said Office of Lord High Admiral, for the Time being, to any Justice of the King's Bench, Common Pleas, or Baron of the Exchequer, and thereupon such Justice or Baron shall make an Order for the Transportation of such Offender upon the Terms and for the Time which shall be specified in such Notification, and shall also do all such other Acts consequent upon the same as any such Justice or Baron is authorized to make or do by any Statute or Statutes in force at the Time of making any such Orders in relation to the Transportation of Offenders ; and such Order, and other Acts to be so made and done as aforesaid, shall be obeyed and executed by such Person in whose Custody such Offender shall at that Time be, and by all other Persons whom it may concern, and shall be as effectual, and have all the same Consequences, as any Order made under the Authority of any Statute with respect to any Offender in such Statute mentioned ; and every Sheriff, Gaoler, Keeper, Governor, or Superintendent whom it may concern, and all Constables and other Persons, shall be bound to obey the aforesaid Order and Orders, be assistant in the Execution thereof, and be liable to the same Punishment for Disobedience or interrupting the Execution of the same as they would be if the same had been made under the Authority of any other Act of Parliament ; and every Person so ordered to be transported as aforesaid shall be subject respectively to all and every the Penalties and Provisions made by Law and in force concerning Persons convicted of any Crime, and sentenced to be transported, or receiving His Majesty's Pardon on Condition of Transportation ; and from the Time when such Order of Transportation shall be made every Law and Statute now in force touching the Escape of Felons or their afterwards returning or their being at large without Leave shall apply to such Offender, and to all Persons aiding, abetting, contriving, or assisting in any Escape or intended Escape or the returning without Leave of any such Offender ; and the Judge who shall make any Order of Transportation as aforesaid shall direct

Transportation of Offenders.

the Notification of His Majesty's Pleasure, and his own Order made thereupon, to be filed and kept of Record in the Office of the Clerk of the Crown of the Court of King's Bench ; and the said Clerk shall have a Fee of Two Shillings and Sixpence only for filing the same, and shall, on Application, deliver a Certificate in Writing (not taking more than Two Shillings and Sixpence for the same) to such Offender or to any Person applying in his or in His Majesty's Behalf, shewing the Christian and Surname of such Offender, the Place where the Court was held before whom he was convicted, and the Conditions on which the Order of Transportation was given ; which Certificate shall be sufficient Proof of the Conviction and Sentence of such Offender, and also of the Terms on which such Order for his Transportation was given, in any Court and in any Proceeding wherein it may be necessary to inquire into the same.

Disposal of
Convict
after Sen-
tence of
Transport-
ation

XVIII. And be it enacted, That when any Sentence of Death shall be commuted for Transportation, or when any Marine shall by Court-martial be adjudged to be transported, as authorized by this Act, it shall be lawful for the Commanding Officer of the Division to which such Marine shall have belonged to cause him to be conveyed to the nearest Ship for the Reception of Convicts, or if there shall be no such Ship in the Neighbourhood of the Division, then to the Gaol of the County in which such Division shall be stationed, there to remain in safe Custody until he shall be removed therefrom by due Authority under an Order for his Transportation to be made by some Justice of the King's Bench or Common Pleas or Baron of the Exchequer as aforesaid ; and that a Certificate of his Sentence, after the same shall have been approved by the Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral, (such Certificate to be signed by the Commanding Officer of the Division from which he shall be sent,) shall be a sufficient Order, Requisition, and Authority to the Superintendent or Chief Officer of the Convict Ship, or the Sheriff or the Keeper of the Gaol of the County, as the Case may be, to receive and detain him : Provided always, that in case of any such Offender being so conveyed to the Gaol of the County, the usual Allowance of Sixpence *per Diem* shall be made to the Keeper of the Gaol for the Subsistence of such Offender during his Detention therein, which Allowance shall be paid by the Paymaster of the Division upon Production to him by the said Keeper of a Declaration, to be made by him before One of His Majesty's Justices of the Peace of such County, of the Number of Days during which the Offender shall have been so detained and subsisted in such Gaol.

Imprison-
ment of
Offenders.

XIX. And be it enacted, That in all Cases of any Person belonging to the Royal Marine Forces being sentenced by any General or other Court-martial to Imprisonment in any House of Correction, Common Gaol, or Public Prison, the Gaolers and Keepers of such Houses of Correction, Gaols, or Prisons respectively shall receive into their Custody every such Person, upon receiving an Order in Writing for that Purpose from the Commanding Officer of the Division at which such Court-martial shall have been held,

together with a Copy of the Sentence attested by the said Commanding Officer, and shall detain him in Confinement in the Manner and for the Period mentioned in such Sentence, or until he be duly discharged, or shall deliver him up to such Person producing an Order in Writing to that Effect from any such Commanding Officer, although the Period for which he was committed shall not have expired; and every such Gaoler or Keeper refusing or neglecting to receive and confine any such Person, pursuant to such Sentence, or to discharge him upon any such Order, shall, on being convicted thereof, forfeit for every such Offence the Sum of One hundred Pounds.

XX. And be it enacted, That whenever it shall be deemed expedient it shall be lawful for the said Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral, for the Time being, by any Order in Writing to be made for that Purpose, under the Hand of the said Lord High Admiral, or the Hands of Two or more of the Commissioners aforesaid, and the Seal of the Office of Admiralty, to change the Place of Confinement expressed in any Sentence of a Court-martial to be held under the Authority of this Act, either previous to the Commitment of the Offender or under any such Sentence, or at any Time during the Period of his Confinement, and so from Time to Time as often as it shall be deemed requisite; and the Gaoler or other Person having the Custody of such Offender shall, immediately on the Receipt of any such Order, remove and convey such Offender to the Gaol, Prison, or House of Correction mentioned in the said Order so to be made as aforesaid (for the Charges of which Removal and Conveyance he shall be allowed a Sum not exceeding One Shilling *per* Mile); and every Gaoler or Keeper of such last-mentioned Gaol or House of Correction shall thereupon, and upon being furnished with a Copy of the Sentence of Confinement, and of such Order of Removal, (such Copies respectively to be attested by the Secretary of the Admiralty for the Time being,) receive into his Custody and shall confine, pursuant to such Sentence, every such Offender, under the like Penalty and Forfeiture, in case of Refusal or Neglect, as is lastly herein-before provided.

Place of Con-
finement of
Offenders
may be
changed.

XXI. And be it enacted, That all Crimes and Offences committed against any former Act made for the Regulation of the Royal Marine Forces while on Shore, or against any of the Rules, Regulations, or Articles of War made and established by virtue of the same, may, during the Continuance of this Act be inquired of and punished in like Manner as if they had been committed against this Act; and every Warrant for holding any Court-martial under any former Act shall remain in full Force notwithstanding the Expiration of such Act; and all Proceedings of any Court-martial upon any Trial begun under the Authority of such former Act shall not be discontinued by the Expiration of the same: Provided always, that no Person shall be liable to be tried and punished for any Offence against any of the said Acts or Articles of War which shall appear to have been committed more than Three Years before the issuing of

Offenders
against former
Mutiny
Acts may be
tried under
this Act.

Limitation
as to Time.

of the Commission or Warrant for such Trial, unless the Person accused, by reason of his having absented himself, or of some other manifest Impediment, shall not have been amenable to Justice within that Period, in which Case such Person shall be liable to be tried at any Time not exceeding Two Years after the Impediment shall have ceased; and provided also, that if any Officer or Marine in any Place beyond the Seas shall commit any of the Offences punishable by Court-martial under this Act, and shall escape, and come or be brought into this Realm, before he be tried for the same, he shall, when apprehended, be tried for the same as if such Offence had been committed within this Realm.

Appeal. XXII. And be it enacted, That no Person who shall have been acquitted or convicted of any Offence at any Court-martial shall be liable to be tried a Second Time for the same Offence, except in the Case of an Appeal from a Divisional to a General Court-martial; and that no Sentence of any Court-martial, signed by the President thereof, shall be liable to be revised more than once; and no Witness shall be examined nor shall any additional Evidence be received by the Court on such Revision.

Forfeiture of Pay. XXIII. And be it enacted, That no Marine shall be entitled to receive Pay for any Period during which he shall have been absent, without due Authority, from his Duty in His Majesty's Service; and that every Non-commissioned Officer, Drummer, or Private Marine who shall, by the Sentence of any Court of Law or Court-martial, or by the Warrant of a Justice of the Peace, be committed to Prison, or who shall be confined for Debt, shall forfeit all Right to any Pay from the Day of his Arrest during the Time of his Imprisonment; and the Gaoler or other Person in whose Custody he shall be shall receive the Sum of Sixpence *per Diem* out of the Pay of such Non-commissioned Officer or Private Marine, to be applied for his Subsistence during the Time he shall continue in Custody; which said Sum shall, under the Authority of the Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral, for the Time being, be paid to the said Gaoler, upon the Application in Writing made to the Secretary of the Admiralty by any Justice for the County or Place in which such Gaol shall be situate, accompanied by a Copy of the Order under which the Prisoner is confined: Provided always, that it shall be lawful for the said Lord High Admiral, or the said Commissioners, for the Time being, if they shall think fit, to order the Issue and Payment of any Arrears of Pay, or of the Surplus of such Pay, or any Portion thereof, to or on account of such Marine, during or after the Expiration of the Period of his Imprisonment: Provided also, that in case such Imprisonment shall be in any Place of Military Confinement, then the like Allowance of Sixpence *per Day* for Subsistence shall be made to the Marine so imprisoned, in lieu of all Pay or other Allowances: Provided also, that in the Calculation of the Period to entitle a Marine to Pension, or increased Rate of Pay for Service, no Part of the Time during which he may have been imprisoned shall be included.

XXIV. And

XXIV. And be it enacted, That no Commissioned Officer who shall be arrested and committed to Prison upon a Charge of any Criminal Offence shall receive any Part of his Pay from the Day of such Commitment till the Day of his Return to the Company to which he shall belong or which he shall be ordered to join; and if he shall be acquitted of the Offence for which he was committed, he shall, upon his Return to his Company, with the Approbation of the Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral, but not otherwise, be entitled to receive all Arrears of Pay which were growing due during the Time of his Confinement; but if he shall be convicted, he shall forfeit all Right to any Pay from the Day of his Commitment until the Day of his Return to the Company to which he shall belong or which he shall be ordered to join.

Pay of Commissioned Officers charged with Criminal Offences.

XXV. And be it enacted, That every Judge Advocate or Person officiating as such at any General Court-martial, or the President of any other Court-martial, shall transmit, with all reasonable Expedition, the original Proceedings and Sentence thereof to the Secretary of the Admiralty for the Time being; and that the Person tried by any General Court-martial shall, upon Application to the Secretary of the Admiralty, be entitled, at any Time after the Expiration of Three Calendar Months from the Date of such Sentence, but not sooner, whether such Sentence be approved or not, to a Copy of the Proceedings and Sentence, upon paying reasonably for the same, according to the Length thereof; provided that such Demand as aforesaid shall have been made within the Space of Three Years from the Date of the Approval or other final Decision upon the Proceedings before such General Court-martial.

Report of Proceedings of Courts-martial.

XXVI. And be it enacted, That every Marine shall be liable to be tried and punished for Desertion from any Corps into which he may have enlisted, or from His Majesty's Service, although he may of right belong to the Corps from which he shall have originally deserted; and if such Person shall be claimed as a Deserter by the Corps to which he originally belonged, and be tried as a Deserter therefrom, or shall be tried as a Deserter from any other Corps into which he may have enlisted, or if he shall be tried while actually serving in some Corps for Desertion from any other Corps, every Desertion previous or subsequent to that for which he shall be under Trial, as well as every previous Conviction for any other Offence, may be given in Evidence as an Aggravation of the Crime for which he shall be under Trial; and in like Manner, in the Case of any Marine tried for any Offence whatever, any previous Convictions may be given in Evidence against him; provided that no such Evidence shall be received in any Case until after the Court shall have found the Prisoner guilty of the Offence for which he shall be so under Trial, and then only for the Purpose of fixing Punishment; and provided that in all Cases previous Notice shall have been given to the Offender of the Intention to produce such Evidence upon his Trial; and provided also, that before such Evidence shall be received it shall be shown to the Satisfaction of the Court that such Notice had been

Subsequent Enlistment no Protection from Punishment for Desertion.

duly given to him, and the Court shall in no Case award to him any greater or other Punishment than may by this Act or by the Articles of War be awarded for the Crime for which he shall be under Trial.

Apprehen-
sion of
Deserters.

XXVII. And be it enacted, That it shall be lawful for the Constable of any Place where any Person reasonably suspected to be a Deserter shall be found, or of any adjoining Place, and if no such Constable can be immediately met with, then for any Officer, Marine, or other Soldier in His Majesty's Service, to apprehend or cause such suspected Person to be apprehended, and cause him to be brought before any Justice living in or near such Place, and acting for the same or any adjoining County, who shall examine such suspected Person; and if, by his Confession, or the Testimony of One or more Witnesses upon Oath, or by the Knowledge of such Justice, it shall appear that such suspected Person is a Marine unlawfully absent from his Duty, such Justice shall forthwith cause him to be conveyed to the nearest or most convenient public Prison in the same or any next adjoining County, and shall transmit an Account thereof, in the Form prescribed for that Purpose in the Schedule annexed to this Act, to the Secretary of the Admiralty, with a Description of the Person of such Deserter, and the Name of the Division to which he shall belong, and also certifying the Names of the Persons by whom the Deserter was apprehended; and if the Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral, shall be satisfied such last-mentioned Persons are justly entitled to a Reward for such Apprehension, the said Secretary shall in return transmit to such Justice an Order upon the proper Department for the Payment of the Sum of Twenty Shillings as a Reward to the Persons so certified to be entitled thereto; which Reward shall be paid and charged against the Pay and Subsistence of any such Deserter, and stopped out of the same: Provided always, that no Fee or Reward shall be taken by any Justice or his Clerk in respect of any Information, Commitment, or Report in the Case of any such Deserter.

Fraudulent
Confession
of Desertion.

XXVIII. And be it enacted, That any Person who shall voluntarily deliver himself up as a Deserter from His Majesty's Royal Marine Forces, or who, upon being apprehended for any Offence, shall, in the Presence of the Justice, confess himself to be a Deserter as aforesaid, shall be deemed to have been duly enlisted and to be a Marine, and shall be liable to serve in His Majesty's Royal Marine Forces, whether such Person shall have been ever actually enlisted as a Marine or not; and in case such Person shall not be a Deserter from the Royal Marine Forces, he shall be liable to be punished as a Rogue and Vagabond, by summary Conviction, before any Justice of the Peace, or may be prosecuted and punished for obtaining Money under false Pretences; and the Confession and receiving Subsistence as a Marine by such Person shall be Evidence of the false Pretence and of the obtaining Money to the Amount of the Value of such Subsistence, and the Value of such Subsistence so obtained may be charged in the Indictment as so much Money received by such Person; and in case such Person shall have been

previously convicted of the like Offence, or as a Rogue and Vagabond for making a fraudulent Confession of Desertion, such former Conviction may be alleged in the Indictment, and may be proved upon the Trial of such Person; and in such Indictment for a Second Offence it shall be sufficient to state that the Offender was at a certain Time and Place convicted of obtaining Money under false Pretences as a Deserter, or as a Rogue and Vagabond for making a fraudulent Confession of Desertion, without otherwise describing the said Offence; and a Certificate containing the Substance and Effect only (omitting the formal Part) of the Indictment and Conviction for the former Offence, purporting to be signed by the Clerk of the Court or other Officer having the Custody of the Records of the Court where the Offender was first convicted, or by the Deputy of such Clerk, or by the Clerk of the convicting Magistrates, shall, upon Proof of the Identity of the Person of the Offender, be sufficient Evidence of the first Conviction, without Proof of the Signature or official Character of the Person appearing to have signed the same; and if the Person so confessing himself to be a Deserter shall be serving at the Time in His Majesty's Royal Marine Forces he shall be deemed to be and shall be dealt with as a Deserter.

XXIX. And whereas it has been judged expedient, for the Prevention of Desertion, to establish Outlying Parties in the Vicinity of the respective Divisions of Royal Marines for the Purpose of intercepting such Men as may straggle or attempt to desert from Head Quarters, and it is fit that Encouragement should be given to Persons composing such Parties to be diligent and active in their Duty in this Behalf; be it therefore enacted, That for and in respect of every Non-commissioned Officer or Private Marine so straggling or attempting to desert, who may be apprehended at a greater Distance from Head Quarters than is allowed by the Articles of War, the Party or Parties by whom he shall be apprehended shall be entitled to a Reward of Ten Shillings to be paid upon the delivering up of such Marine; which Sum of Ten Shillings shall be charged against and stopped and retained out of the Pay and Subsistence of every such Non-commissioned Officer and Private Marine, in like Manner as the Reward or Sum of Twenty Shillings is herein-before directed to be charged against, stopped, and retained out of the Pay and Subsistence of every Deserter.

Reward for apprehending Marines attempting to desert.

XXX. And be it enacted, That every Person who shall in any Part of His Majesty's Dominions directly or indirectly persuade any Marine to desert or shall assist any Deserter from His Majesty's Royal Marine Service in deserting or in concealing himself from such Service, knowing him to be such Deserter, shall forfeit for every such Offence the Sum of Twenty Pounds.

Penalty for inducing or assisting to desert.

XXXI. And be it enacted, That the Gaoler or other Person having the immediate Inspection of any Prison, Gaol, or House of Correction shall diet and supply every Marine in his Custody with Fuel and other Necessaries according to the Regulations of the Prison to which

Custody and Subsistence of Deserters.

which he shall be so committed, and shall receive on account of every such Marine, during his Imprisonment, Sixpence *per Diem* for his Subsistence, to be issued out of the Pay of such Marine, upon Application in Writing signed by any Justice within whose Jurisdiction such Prison shall be locally situated, together with a Copy of the Order of Commitment, and which Sum of Sixpence *per Diem* shall be carried to the Credit of the Fund from which the Expence of such Prison is defrayed; and all Gaolers and Keepers of Prisons shall and they are hereby authorized and required to receive and confine every Deserter from the Royal Marines who shall be delivered into their Charge by any Officer, Soldier, or Marine conveying any such Deserter under lawful Authority, on the Production of the Warrant or Authority on which such Deserter shall have been taken or detained; and every Gaoler or Keeper so receiving a Deserter shall be entitled to One Shilling for the safe Custody of him, while halted on the March, and to such daily Subsistence as is herein-before provided for the Maintenance of Marines confined under any Sentence or otherwise.

Notice of
Expiration of
Imprison-
ment.

XXXII. And be it enacted, That every Gaoler, having Notice that any Person in his Custody is a Marine liable to serve His Majesty, shall, previous to the Expiration of the Period of the Imprisonment of such Marine, give One Month's Notice, or if there shall not be sufficient Time for a Month's Notice, then the longest practicable Notice thereof, to the Secretary of the Admiralty.

Penalty for
forcible
Entry.

XXXIII. And be it enacted, That every Marine Officer who shall, without Warrant from One or more of His Majesty's Justices, forcibly enter into or break open the Dwelling House or Out-houses of any Person whomsoever, under Pretence of searching for Deserters, shall, upon due Proof thereof, forfeit the Sum of Twenty Pounds.

Enlisting and
swearing of
Recruits.

XXXIV. And be it enacted, That every Person who shall receive Enlisting Money to serve in the Royal Marines from any Person employed in the Recruiting Service, he being an Officer, Non-commissioned Officer, or attested Marine, shall be deemed to be enlisted as a Marine in His Majesty's Service, and while he shall remain with the Recruiting Party shall be entitled to be billeted; and every Person who shall enlist any Recruit shall first ask the Person offering to enlist whether he does or does not belong to the Militia, and shall cause to be taken down in Writing the Name and Place of Abode of such Recruit, and if such Recruit shall not reside in or in the Vicinity of the Town or Place where he offered to enlist, the Place also at which he shall declare that he intends to sleep, in order that, within Forty-eight, but not sooner than Twenty-four Hours after his having received the Enlisting Money, Notice of his having so enlisted be given to the Recruit, or left at his usual Place of Abode, or at the Place where he stated that it was his Intention to sleep; and when any Person shall be enlisted as a Marine, he shall within Four Days, any intervening *Sunday* not included, but not sooner than Twenty-four Hours, any intervening *Sunday* not included, after such Enlisting, appear, together with some Person employed in the Recruiting Service

Service of the Party with which he shall have enlisted, before a Justice residing in the Vicinity of the Place, and acting for the Division or District where such Recruit shall have been enlisted, and not being an Officer in the Marines; and if such Recruit shall declare his having voluntarily enlisted, the said Justice shall put to him the several Questions contained in the Schedule to this Act annexed, and shall record or cause to be recorded in Writing his Answers thereunto; and the said Justice is hereby required forthwith to cause the Answers so recorded in Writing, and the Third, Fourth, and Fifth Articles of the Second Section of the Articles of War against Mutiny, and the First Article of the Third Section of the said Articles of War against Desertion, to be read over in his own Presence to such Recruit, and to administer to such Recruit the Oath in the Schedule to this Act annexed applicable to the Case of a Recruit; and the said Justice is hereby required to give, under his Hand, the Certificate in the Schedule to this Act annexed; and if any such Recruit so to be certified shall refuse to take the Oath in the Schedule to this Act annexed before the said Justice, it shall be lawful for the Officer or Non-commissioned Officer with whom he enlisted to detain and confine such Person until he shall take the said Oath of Fidelity.

XXXV. And be it enacted, That any Recruit appearing within Four Days as aforesaid before such Justice shall be at liberty to declare his Dissent to such Enlisting, and upon such Declaration and returning the Enlisting Money, and also paying the Sum of Twenty Shillings for the Charges expended upon him, together with the full Amount of Subsistence and Beer Money which shall have been paid to such Recruit subsequent to his Enlistment, shall be forthwith discharged in the Presence of such Justice; but if such Person shall refuse or neglect, within the Space of Twenty-four Hours after so declaring his Dissent, to return and pay such Money as aforesaid, he shall be deemed and taken to be enlisted as if he had given his Assent thereto before the said Justice; and it shall also be lawful for any Justice to discharge any Person who shall have hastily enlisted, and who shall apply to him to declare his Dissent within such Four Days as aforesaid, upon Payment of the Sum of Money required to be paid by any Recruit declaring his Dissent under this Act, notwithstanding no Person belonging to the Recruiting Party shall be with the Recruit, provided it shall appear to such Justice, upon Proof to his Satisfaction, that the Recruiting Party has left the Place where such Recruit was enlisted, or that the Recruit could not procure any Person belonging to such Party to go with him before the Justice; and the Sum paid by such Recruit upon his Discharge shall be kept by the Justice, and paid to any Person belonging to the Recruiting Party entitled thereto, and demanding the same: Provided always, that no Recruit who has actually though erroneously been discharged by the Justice before the Expiration of Twenty-four Hours after the Time of his Enlistment shall be liable on that Account to be proceeded against as having deserted from His Majesty's Service; and the Justice who shall discharge any Recruit shall in every Case give to him a Certificate, under his Hand, specifying the Cause thereof.

Dissent and
Relief from
Enlistment.

Apprentices
enlisting to
be liable to
serve after
the Expira-
tion of their
Apprentice-
ship.

XXXVI. And be it enacted, That any Person duly bound as an Apprentice, who shall enlist into His Majesty's Royal Marine Forces, and shall state to the Magistrate before whom he shall be attested that he is not an Apprentice, shall be deemed guilty of obtaining Money by false Pretences, and shall after the Expiration of his Apprenticeship, whether he shall have been so convicted and punished or not, be liable to serve as a Marine, and if on the Expiration of his Apprenticeship he shall not deliver himself up to some Officer authorized to receive Recruits may be taken as a Deserter from His Majesty's Royal Marine Forces.

Punishment
of Appren-
tices enlist-
ing.

XXXVII. And be it enacted, That no Apprentice claimed by his Master shall be taken from any Division, Detachment, Recruiting Party, or Ship of His Majesty, except under a Warrant of a Justice residing near and within whose Jurisdiction such Apprentice shall then happen to be, before whom he shall be carried; and such Justice shall inquire into the Matter upon Oath (which Oath he is hereby empowered to administer), and require the Production and Proof of the Indenture, and that Notice of the said Warrant has been given to and a Copy left with the Officer under whose Command the Apprentice shall then be, and that such Person so enlisted declared that he was no Apprentice; and such Justice, if required by such Officer, shall commit the Offender to the Common Gaol of the said Place where the Apprentice shall be apprehended, and shall keep the Indenture to be produced when required, and shall bind over such Person as he may think proper to give Evidence against the Offender, who shall be tried at the next or next succeeding General or Quarter Sessions of the County, Division, or Place, unless the Court shall on just Cause put off the Trial; and the Production of the Indenture, with the Certificate of the Justices that the same was proved, shall be sufficient Evidence of the said Indenture; and every such Offender in *Scotland* may be tried by the Judge Ordinary in the County or Stewarty, in such and the like Manner as any Person may be tried in *Scotland* for any Offence not inferring a Capital Punishment; and any Justice not required as aforesaid to commit such Apprentice may deliver him to his Master: Provided always, that every Apprentice who shall enlist into the Royal Marines during the Period of his Apprenticeship shall be deemed guilty of a Misdemeanor, and upon Conviction be liable to the same Punishment as Offenders convicted of obtaining Money under false Pretences are liable to; and every such Apprentice shall after the Expiration of his Apprenticeship, whether he shall have been prosecuted or not, be liable to serve in His Majesty's Royal Marine Forces; and if on the Expiration of his Apprenticeship he shall not deliver himself up to some Officer authorized to receive Recruits, he may be apprehended as a Deserter from His Majesty's Marine Forces.

Offences con-
nected with
Enlistment.

XXXVIII. And be it enacted, That if any Recruit shall receive the Enlisting Money from any Person employed in the Recruiting Service (knowing it to be such), and shall abscond or refuse to go before such Justice, or shall thereafter absent himself from the Recruiting Party or Person with whom he enlisted, and shall not

voluntarily return to go before some Justice within such Period of Four Days as aforesaid, such Recruit shall be deemed to be enlisted and a Private in His Majesty's Royal Marine Forces, as fully to all Intents and Purposes as if he had been duly attested, and may be apprehended and punished as a Deserter, or for being absent without Leave, under any Articles of War made for the Punishment of Mutiny and Desertion; and such Recruit shall not be discharged by any Justice of the Peace after the Expiration of such Four Days as aforesaid, unless it shall be proved to the Satisfaction of such Justice that the true Name and Residence of the Recruit was disclosed and known to the Recruiting Party, and that no Notice was given to the Recruit, or left at his usual Place of Abode, of his having so enlisted; provided that in every Case wherein any Recruit shall have received Enlisting Money, and shall have absconded from the Party, so that it shall not be possible immediately to apprehend and bring him before a Justice, the Officer or Non-commissioned Officer commanding the Party shall produce, to the Justice before whom the Recruit ought regularly to have been brought for Attestation, a Certificate of the Name and Place of Residence of such Recruit; and the Justice to whom such Certificate shall be produced shall, after satisfying himself that the Recruit who had absconded cannot be found and apprehended, transmit a Duplicate thereof to the Secretary of the Admiralty, in order that, in the Event of such Recruit being afterwards apprehended and reported as a Deserter, the Fact of his having received Enlisting Money, and having absconded after having been enlisted, may be ascertained before he shall be finally adjudged to be a Deserter; and any Recruit who shall enlist into His Majesty's Royal Marine Forces, and who shall be discovered to be incapable of active Service by reason of any Infirmary concealed or not declared by such Recruit before the Justice at the Time of his Attestation, and mentioned therein, may be transferred into a Garrison or Veteran or Invalid Battalion, and shall be entitled to receive such Proportion or Residue of Bounty only as the Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral, may allow in that Behalf, instead of the Bounty upon which such Man shall have been enlisted, any Act or any Rules and Regulations to the contrary notwithstanding; and it shall be lawful for any Two Justices before whom any Recruit shall be brought, and who shall be proved upon Oath before them to have wilfully concealed his having been a Marine or Soldier and discharged, or to have concealed his having been discharged on any prior Enlistment, or to have wilfully concealed any Infirmary upon being attested, or designedly made any false Representation, to adjudge such Person to be a Rogue and Vagabond, and to sentence him to such Punishment as by any Law now in force may be inflicted on Rogues and Vagabonds and Vagrants and incorrigible Rogues; and any Recruit who shall designedly make any false Representation of any Particular contained in the Oaths and Certificates in the Schedule to this Act annexed before the Justice at the Time of his Attestation, and shall thereby obtain any Enlisting Money, or any Bounty for entering into His Majesty's Service, or any other Money, shall be deemed guilty of obtaining Money under false Pretences, within the true Intent and Meaning,

- 7 & 8 G. 4. c. 29. Meaning, if in *England*, of an Act, intituled *An Act for consolidating and amending the Laws in England relative to Larceny and other Offences connected therewith*; and if in *Ireland*, of an Act passed in the Ninth Year of the Reign of His late Majesty King *George the*
- 9 G. 4. c. 55. Fourth, intituled *An Act for consolidating and amending the Laws in Ireland relative to Larceny and other Offences connected therewith*; and the Production of such Certificate, and Proof of the Handwriting of the Justice giving such Certificate, shall be sufficient Evidence of such Party having represented the several Particulars contained in the Oath sworn by him, and specified in the Certificate of the Justice at the Time of his having been attested; and that Proof by the Oath of One or more credible Witnesses that the Person so prosecuted hath voluntarily acknowledged that at the Time of his Enlistment he belonged to the Militia, or to any Regiment in His Majesty's Service, or to His Majesty's Navy or Marines, shall be deemed and taken as Evidence of the Fact so by him acknowledged, without Production of any Roll or other Document to prove the same; and any Man who, having been enrolled to serve in the Militia, and who at the Time of offering to enlist into the Marines shall deny that he is a Militia Man, or shall deny to the Justice before whom he shall be attested that he belongs to the Militia, shall, on Conviction thereof before any One Justice in the United Kingdom, either upon the Oath of One Witness or upon his own Confession, or upon the Production of the Attestation and the before-mentioned Acknowledgment of such Person, certified by the Secretary of the Admiralty, be committed to the Common Gaol or House of Correction, there to remain without Bail or Mainprize for and during any Time not exceeding Six Calendar Months, over and above any Penalty or Punishment to which such Person so offending may be otherwise liable; and shall, from the Day on which his Engagement to serve in the Militia shall end, and not sooner, belong as a Soldier to the Division of His Majesty's Royal Marine Forces into which he has so enlisted: Provided also, that every such Person shall be liable to serve in His Majesty's Royal Marine Forces in which he has so enlisted during all the Time the Militia to which he shall belong shall remain disembodied, or shall not be called out for Training or Exercise, and shall during all such Time be subject to all the Provisions of this Act, and be liable to be apprehended and dealt with and punished as a Deserter from the Marines if he shall neglect or refuse to join and serve therein.

Yearly Servants enlisting to be entitled to a Proportion of their Wages.

XXXIX. And be it enacted, That it shall be lawful for the Justice before whom any Recruit (being a hired Servant) shall be attested, before the Expiration of the Term of Service for which he shall have been hired, to adjudge to such Recruit a reasonable Proportion of his Wages for the Time he shall have actually served, to be forthwith paid by the Master, upon whom the said Justice shall make an Order accordingly, and if the same be not paid within Four Days shall enforce the Payment thereof by the same Means as pecuniary Penalties may under this Act be recovered before a Justice.

Penalty on Officers of-

XL. And be it enacted, That every Marine Officer who shall designedly act contrary to the Provisions of this Act, in any respect regarding

regarding the enlisting and attesting of Recruits for His Majesty's Service, shall, upon Proof thereof upon Oath by Two Witnesses before a General Court-martial, be cashiered, and disabled to hold any Civil or Military Office or Employment in His Majesty's Service. ending as to Enlistment.

XLI. And be it enacted, That no Master shall be entitled to claim an Apprentice who shall enlist as a Marine in His Majesty's Service, unless such Master shall, within One Calendar Month next after such Apprentice shall have left his Service, go before some Justice, and take and subscribe the Oath mentioned in the Schedule to this Act annexed, and at the Time of making his Claim produce to the Officer under whose Command the Recruit shall be the Certificate of such Justice of his having taken such Oath, which Certificate such Justice is required to give in the Form in the Schedule to this Act annexed; nor unless such Apprentice shall have been bound, if in *England*, for the full Term of Seven Years, (not having been above the Age of Fourteen when so bound,) and, if in *Ireland* or in the *British Isles*, for the full Term of Five Years at the least, (not having been above the Age of Sixteen when so bound,) and, if in *Scotland*, for the full Term at least of Four Years, by a regular Contract of Indenture of Apprenticeship, duly extended, signed, and tested, and binding on both Parties by the Law of *Scotland*, prior to the Period of Enlistment, and unless such Contract or Indenture in *Scotland* shall, within Three Months after the Commencement of the Apprenticeship and before the Period of Enlistment, have been produced to a Justice of the Peace of the County in *Scotland* wherein the Parties reside, and there shall have been indorsed thereon by such Justice a Certificate or Declaration signed by him, specifying the Date when and the Person by whom such Contract or Indenture shall have been so produced, which Certificate or Declaration such Justice of the Peace is hereby required to indorse and sign; nor unless any such Apprentice shall, when claimed by such Master, be under Twenty-one Years of Age; provided that any Master of an Apprentice indentured for the Sea Service shall be entitled to claim and recover him in the Form and Manner above directed, notwithstanding such Apprentice may have been bound for a less Term than Seven, Five, or Four Years as aforesaid; and any such Master who shall give up the Indentures of Apprenticeship within One Month after the enlisting of such Apprentice shall be entitled to receive, to his own Use, so much of the Bounty payable to such Recruit, after deducting therefrom Two Guineas to provide him with Necessaries, as shall not have been paid to such Recruit before Notice given of his being an Apprentice. Claims of Masters to Apprentices.

XLII. And be it enacted, That Musters, as have been customary, shall be taken of every Division or Company of Royal Marines once in every Calendar Month, as shall be appointed; and no Officer or Marine shall be absent from any such Muster, unless duly certified to be employed on some other Duty of the Corps, or sick, or in Prison, or on Furlough; and every Person belonging to His Majesty's Service who shall give or procure to be given any untrue Certificate, thereby to excuse any Person from any Muster or other Service which he Musters, and Penalty on false Musters.

ought to attend or perform, or shall make any false or untrue Muster of Man or Horse, or shall willingly allow or sign any false Muster or Duplicate thereof, or shall directly or indirectly take or receive any Money or Gratuity for mustering any Person, or for signing any Muster Roll or Duplicate, or shall knowingly muster any Person by a wrong Name, shall, upon Proof by Two Witnesses before a General Court-martial, for any such Offence be forthwith cashiered, and disabled to have or hold any Civil or Military Office or Employment in the Service of His Majesty; and any Person who shall fraudulently offer or procure himself to be falsely mustered, or lend or furnish any Horse to be falsely mustered, shall, upon Proof thereof by the Oaths of Two Witnesses before some Justice of the Peace residing near to the Place where such Muster shall be made, forfeit the Sum of Twenty Pounds, and the Informer, if he belong to His Majesty's Service, shall, if he demand it, be forthwith discharged; and if any Person not belonging to His Majesty's Service shall give or sign any untrue Certificate of Illness or otherwise, in order to excuse any Officer or Marine from Appearance at any Muster, or whereby His Majesty's Service may be defrauded, every Person so offending shall for every such Offence forfeit the Sum of Twenty Pounds.

Verifying of
Muster Rolls.

XLIII. And be it enacted, That all Muster Rolls and Pay Lists of Royal Marines required to be verified upon Oath shall be sworn before and attested by any Justice of the Peace, without Fee or Reward to himself or his Clerk.

Extension of
Furlough in
case of Sick-
ness.

XLIV. And be it enacted, That when there shall not be any Officer of His Majesty's Land or Marine Forces of the Rank of Captain or of a superior Rank, or any Adjutant of Militia, within convenient Distance of the Place where any Non-commissioned Officer or Marine on Furlough shall be detained by Sickness or other Casualty rendering necessary any Extension of such Furlough, it shall be lawful for any Justice, who shall be satisfied of such Necessity, to grant an Extension of Furlough for a Period not exceeding One Month; and the said Justice shall immediately certify such Extension, and the Cause thereof, to the Commanding Officer of the Division or Detachment to which the Man belongs, if known, and if not, then to the Secretary of the Admiralty, in order that the necessary Allowance of Pay and Subsistence may be remitted to the Marine, who shall not during the Period of such Extension of Furlough be liable to be treated as a Deserter; provided that nothing herein contained shall be construed to exempt any Marine from Trial and Punishment, according to the Provision of this Act, for any false Representation made by him in that Behalf to the said Officer or Justice so extending the Furlough, or for any Breach of Discipline committed by him in applying for and obtaining the said Extension of Furlough.

Marching
Money on
Discharge.

XLV. And be it enacted, That every Marine upon being discharged from the Service shall be entitled to an Allowance (not exceeding in any Case the Amount of Twenty-one Days marching Money) to enable him to reach his Home, which Allowance shall be calculated

calculated according to the Distance he has to travel: Provided always, that no Person who shall purchase his own Discharge, or be discharged on account of Misbehaviour, or at his own Desire, before the Expiration of his Period of Service, shall be entitled to any such Allowance.

XLVI. And whereas there is and may be Occasion for the marching and also for the quartering of the Royal Marine Forces when on Shore; be it enacted, That during the Continuance of this Act, upon the Order or Orders in Writing in that Behalf under the Hand of the Lord High Admiral, or the Hands of Two or more of the Commissioners for executing the Office of Lord High Admiral, for the Time being, it shall be lawful for all Constables and other Persons specified in this Act in *England* and *Ireland*, and they are hereby required, to billet the Officers and Marines, whether marching or otherwise, and also all Staff and Field Officers Horses, and all Bat and Baggage Horses belonging to the Royal Marine Forces, when on actual Service, (not exceeding for each Officer the Number for which Forage is allowed by His Majesty's Regulations,) in Victualling Houses and other Houses specified in this Act, taking care in *Ireland* not to billet less than Two Men in any One House; and they shall be received by the Occupiers of such Houses, and be furnished with proper Accommodation in such Houses, and in *England* with Diet and Small Beer, and with Stables, Hay, and Straw for such Horses as aforesaid, paying and allowing for the same the several Rates herein-after provided; and at no Times when Marines are on a March shall any of them be billeted above One Mile from the Place mentioned in the Route; and in all Places where Marines shall be billeted in pursuance of this Act, the Officers and their Horses shall be billeted in one and the same House, except in case of Necessity; and the Constables are hereby required to billet all Marines on their March in a just and equal Proportion upon the Keepers of all Houses within One Mile of the Place mentioned in the Route, although some of such Houses may be in the adjoining County, in like Manner in every respect as if such Houses were therein locally situate: Provided always, that nothing herein contained shall be construed to extend to authorize any Constable to billet Marines out of the County to which such Constable belongs, when the Constable of the adjoining County shall be present, and undertake to billet the due Proportion of Men in such adjoining County; and no more Billets shall at any Time be ordered than there are effective Marines and Horses present to be billeted; all which Billets, when made out by such Constables, shall be delivered into the Hands of the Commanding Officer present; and if any Person shall find himself aggrieved by having an undue Proportion of Marines billeted in his House, and shall prefer his Complaint, if against a Constable or other Person not being a Justice, to One or more Justices, and if against a Justice, then to Two or more Justices, within whose Jurisdiction such Marines are billeted, such Justices respectively shall have Power to order such of the Marines to be removed and to be billeted upon other Persons, as they shall see Cause; and when any Horses belonging to the Officers of His Majesty's

Majesty's Royal Marine Forces shall be billeted upon the Occupiers of Houses who shall have no Stables, then, upon a written Requisition of the Officer commanding such Marines, the Constable is hereby required to billet the Horses upon some other Person having Stables by this Act liable to have Officers and Marines billeted upon them, and any Two or more Justices of the Peace may order a proper Allowance to be paid by the Persons relieved to the Persons receiving such Horses, or to be applied in the furnishing the requisite Accommodation; and the Commanding Officer may exchange any Man or Horse billeted in any Place with another Man or Horse billeted in the same Place, for the Convenience or Benefit of the Service, provided the Number of Men and Horses do not exceed the Number at that Time billeted on such Houses; and the Constables are hereby required to billet such Men and Horses so exchanged accordingly; and it shall be lawful for any Justice, at the Request of any Officer or Non-commissioned Officer commanding any Marines requiring Billets, to extend any Route, or enlarge the District within which Billets shall be required, in such Manner as shall appear to be most convenient to His Majesty's Service: Provided always, that to prevent or punish all Abuses in billeting Marines, it shall be lawful for any Justice, within his Jurisdiction, by Warrant or Order under his Hand, to require any Constable to give him an Account in Writing of the Number of Officers and Marines who shall be quartered by such Constable, together with the Names of the Persons upon whom such Officers and Marines are billeted, stating the Street or Place where such Persons dwell, and the Signs, if any, belonging to their Houses; and it shall be lawful to billet Officers and Marines in *Scotland* according to the Provisions of the Laws in force in *Scotland* at the Time of its Union with *England*; and no Officer shall be obliged to pay for his Lodging where he shall be regularly billeted, except in the Suburbs of *Edinburgh*: Provided always, that no Justice, being an Officer of Royal Marines, shall directly or indirectly be concerned in billeting or appointing Quarters under this Act.

Allowance to
Innkeepers.

XLVII. And be it enacted, That the Innholder or other Person on whom any Marine is billeted in *England* shall, if required by such Marine, furnish him for every Day on the March, and for a Period not exceeding Two Days when halted at any intermediate Place upon the March, and for the Day of Arrival at the Place of final Destination, with One hot Meal in each Day, the Meal to consist of such Quantities of Diet and Small Beer as may be fixed by His Majesty's Regulations, not exceeding One Pound and a Quarter of Meat previous to being dressed, One Pound of Bread, One Pound of Potatoes or other Vegetables, and Two Pints of Small Beer, and Vinegar, Salt, and Pepper, and for such Meal the Innholder, or other Person furnishing the same, shall be paid the Sum of Tenpence; and all Innholders and other Persons on whom Marines may be billeted in *England* (except on the March, when they are entitled to be furnished with the hot Meal as aforesaid,) shall furnish such Marines with Candles, Vinegar, and Salt, and shall allow them the Use of Fire and the necessary Utensils for dressing and eating their Meat,

Meat, and shall be paid in consideration thereof the Sum of a Half-penny *per Diem* for each Marine; and the Sum to be paid the Innholder or other Person on whom any of the Horses belonging to His Majesty's Royal Marine Forces shall be billeted, in *England*, for Hay and Straw, shall be Ten-pence *per Diem* for each Horse, and in *Ireland* the Sum to be paid for Forage to the Innholder or other Person for Horses billeted by virtue of this Act shall be the Rate established by the Lord Lieutenant or other sufficient Authority from Time to Time, the same to be regulated by the average Rate of Contracts for Forage in *Ireland*; and for the Use of Stables in *Ireland*, when such Horses are provided with Hay and Straw by Contract, and not by the Occupiers of the Houses in which they are billeted, the Sum of Four-pence *per Week* for each Horse shall be paid; and every Officer to whom it belongs to receive or who shall actually receive the Pay and Subsistence of the said Men shall every Four Days, or before they shall quit their Quarters if they shall not remain so long as Four Days, settle the just Demands of all Victuallers or other Persons on whom such Men are billeted, out of their Pay and Subsistence, before any Part of the said Pay or Subsistence be distributed to them respectively; and if any such Officer shall not pay the same, then upon Complaint, and Oath made thereof by any Two Witnesses, at the next Quarter Session for the County or City where such Quarters are situate, the Secretary of the Admiralty is hereby required, upon Certificate of the Justices before whom such Oath shall be made of the Sum due to the Complainant, to order Payment of the Amount, which shall be charged against such Officer; and in case of any Marines being suddenly ordered to march, and of the Commanding Officer not being enabled to make immediate Payment of the Sums due on account of the Billets, every such Officer shall before his Departure make up the Account with every Person upon whom any such Marines may have been billeted, and sign a Certificate thereof; which Account and Certificate, on being transmitted to the Secretary of the Admiralty, shall be immediately paid, and charged to the Officer's Account.

XLVIII. And be it enacted, That for the regular Provision of Supply of Carriages for the Royal Marine Forces and their Baggage, on their Marches in *England* and *Ireland*, all Justices of the Peace within their several Jurisdictions, being duly required thereunto by Order of the said Lord High Admiral, or Two or more of the Commissioners for executing the said Office of Lord High Admiral, for the Time being, shall, on the Production of such Order to them, or any One or more of them, by the Officer or Non-commissioned Officer of the Party of Marines so ordered to march, issue a Warrant to any Constable having Authority to act in any Place, from, through, near, or to which such Marines shall be ordered to march, (for each of which Warrants a Fee of One Shilling only shall be paid,) requiring him to provide the Carriages, Horses, Oxen, and Drivers therein mentioned, (allowing sufficient Time to do the same,) specifying the Places from and to which the said Carriages shall travel, and the Number of Miles between the Places, for which only so specified Payment shall be demanded, and which Number of Miles shall not,

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except

except in Cases of pressing Emergency, exceed the Day's March prescribed in the Order of Route, and shall in no Case exceed Twenty-five Miles; and the Constables receiving such Warrant shall order such Persons as they shall think proper, having Carriages, to furnish the requisite Supply, who are hereby required to furnish the same accordingly; and in case sufficient Carriages cannot be procured within the proper Jurisdiction, any Justice of the next adjoining Jurisdiction shall, by a like Course of Proceeding, supply the Deficiency; and in order that the Burthen of providing Carriages may fall equally, and to prevent Inconvenience arising from there being no Justice residing near the Place where Marines may be quartered on the March, the Justice or Justices residing nearest to such Place shall cause a List to be made out, at least once in every Year, of all Persons liable to furnish such Carriages, and of the Number and Description of their said Carriages, (which Lists shall at all seasonable Hours be open to the Inspection of the said Persons,) and shall by Warrant under his Hand authorize the Constables within his Jurisdiction to give Orders to provide Carriages, without any special Warrant from him for that Purpose, which Orders shall be valid in all respects; and all Orders for such Carriages shall be made from such Lists in regular Rotation, so far as the same can be done.

Rates for
Carriages.

XLIX. And be it enacted, That the Rates to be paid for Carriages impressed shall be, in *England*, for every Mile which a Waggon with Four or more Horses, or a Wain with Six Oxen or Four Oxen and Two Horses, shall travel, One Shilling; and for every Mile any Waggon with narrow Wheels, or any Cart with Four Horses, carrying not less than Fifteen Hundred Weight, shall travel, Nine-pence; and for every Mile every other Cart or Carriage with less than Four Horses, and not carrying Fifteen Hundred Weight, shall travel, Six-pence; and in *Ireland*, for every Hundred Weight loaded on any Wheel Carriage, One Halfpenny *per* Mile; and in *England* such further Rates may be added, not exceeding a total additional Sum *per* Mile of Four-pence, Three-pence, or Two-pence, to the respective Rates of One Shilling, Nine-pence, and Sixpence, as may seem reasonable to the Justices assembled at General Sessions in *England*, for their respective Districts; and the Order of such Justices at Sessions shall specify the average Price of Hay and Oats at the nearest Market Town at the Time of fixing such additional Rates, and the Period for which the Order shall be enforced, not exceeding Ten Days beyond the next General Sessions; (and no such Order shall be valid unless a Copy thereof, signed by the presiding Magistrate and One other Justice, shall be transmitted to the Secretary of the Admiralty within Three Days after the making thereof;) and also in *England*, when the Day's March shall exceed Fifteen Miles, the Justice granting his Warrant may fix a further reasonable Compensation not exceeding the usual Rate of Hire fixed by this Act; and when additional Rates or Compensation shall be granted, the Justice shall insert, in his own Hand, in the Warrant, the Amount thereof, and the Date of the Order of Sessions, if fixed by Sessions, and the Warrant shall be given to the Officer commanding, as his Voucher: Provided always, that the Officer or Non-commissioned

Officer demanding Carriages by virtue of the Warrant of a Justice shall, in *England* pay down the proper Sums into the Hands of the Constables providing Carriages, who shall give Receipts for the same on unstamped Paper; and, in *Ireland*, the Officers or Non-commissioned Officers as aforesaid shall pay the Owners or Drivers of the Carriages, and One Third Part of such Payment shall be made before the Carriage be loaded, and all the said Payments in *Ireland* shall be made, if required, in Presence of a Justice or Constable: Provided also, that no Carriage shall be liable to carry more than Thirty Hundred Weight in *England*, and in *Ireland* no Car shall be liable to carry more than Six Hundred Weight, and no Dray more than Twelve Hundred Weight; but the Owner of such Carriages in *Ireland*, consenting to carry a greater Weight, shall be paid at the same Rate for every Hundred Weight of the said Excess; and the Owners of such Carriages in *Ireland* shall not be compelled to proceed, though with any less Weight, under the Sum of Three-pence a Mile for each Car, and Sixpence a Mile for each Dray; and the Loading of such Carriages in *Ireland* shall be first weighed, if required, at the Expence of the Owner of the Carriage, if the same can be done in a reasonable Time, without Hindrance of His Majesty's Service; and the providing and paying for Carriages in *Scotland* shall be regulated by the Law in force at the Time of the Union with *England*: Provided also, that a Cart with One or more Horses, for which the Furnisher shall receive Nine-pence a Mile, shall be required to carry Fifteen Hundred Weight at the least; and that no Penalties or Forfeitures in any Act relating to Highways or Turnpike Roads in the United Kingdom shall apply to the Number of Horses or Oxen, or Weight of Loading of the aforesaid Carriages, nor shall any such Carriages on that Account be stopped or detained.

L. And be it enacted, That all Officers and Marines, being in proper Uniform, Dress or Undress, and their Horses, but not when passing in any private or hired Vehicle, and all Carriages and Horses when employed in conveying Persons or Baggage under the Provisions of this Act, or returning therefrom, and all Recruits marching by Route, shall be exempted from the Payment of any Duties and Tolls on embarking or disembarking from or upon any Pier, Wharf, Quay, or Landing Place, or passing Turnpike Roads or Bridges, otherwise demandable by virtue of any Act already made or hereafter to be made; and if any Toll Collector shall demand or receive Toll from any Marine Officer or Marine who shall be in proper Uniform, Dress or Undress, and who by this Act is exempted from Payment thereof, such Collector shall for every such Offence be liable to a Penalty not exceeding Five Pounds; provided that nothing herein contained shall exempt any Boats, Barges, or other Vessels employed in conveying the said Persons, Horses, Baggage, or Stores along any Canal, from Payment of Tolls in like Manner as other Boats, Barges and Vessels are liable thereto, except when employed in Cases of Emergency as herein mentioned; and that when any Officers or Marines on Service shall have Occasion in the March to pass regular Ferries in *Scotland*, the Officer commanding shall be at liberty to pass over with his Marines as Passengers, paying for himself and each Marine

Exemption
from Tolls.

Marine One Half only of the ordinary Rate payable by Passengers, or he shall be at liberty to hire the Ferry Boat for himself and his Party, debarring all others for that Time, and shall in such Case pay only Half the ordinary Rate for such Boat.

Penalties
upon Civil
Subjects
offending
against the
Laws re-
lating to
Billets and
Carriages.

LI. And be it enacted, That if any Constable or other Person, who by virtue of this Act shall be employed in billeting any Officers or Marines in any Part of the United Kingdom, shall presume to billet any such Officer or Marine in any House not within the Meaning of this Act, without the Consent of the Owner or Occupier thereof; or shall neglect or refuse to billet any Officer or Marine on Duty, when thereunto required, in such Manner as is by this Act directed, provided sufficient Notice be given before the Arrival of such Marines; or shall receive, demand, or agree for any Money or Reward whatsoever, in order to excuse any Person from receiving any such Officer or Marine; or shall quarter any of the Wives, Children, Men or Maid Servants of any Officer or Marine in any such Houses against the Consent of the Occupiers; or shall neglect or refuse to execute such Warrants of the Justices as shall be directed to him for providing Carriages, Horses, or Vessels, or shall demand more than the legal Rates for the same; or if any Person appointed or ordered by such Constable to provide Carriages, Horses, or Vessels shall refuse or neglect to provide the same, or shall demand more than the legal Rates for the same, or shall do any Act or Thing by which the Execution of such Warrants shall be hindered; or if any Person liable by this Act to have any Officer or Marine quartered on him shall refuse to receive any such Officer or Marine, or to afford him proper Accommodation or Diet in the House of such Person in which he is quartered, or to furnish the several Things directed to be furnished to Officers and Marines, or shall neglect or refuse to furnish good and sufficient Stables, together with good and sufficient Hay and Straw, for each Horse, at the Rate established by this Act, and in such Quantities as shall be fixed by His Majesty's Regulations, not exceeding Eighteen Pounds of Hay and Six Pounds of Straw *per Diem* for each Horse, or shall pay any Sum of Money to any Marine on the March in lieu of furnishing in Kind the Diet and Small Beer to which such Marine is entitled; such Constable, Victualler, and other Person respectively shall forfeit for every Offence, Neglect, or Refusal any Sum not exceeding Five Pounds nor less than Forty Shillings.

Penalty upon
Officers of
Marines so
offending.

LII. And be it enacted, That if any Officer of Royal Marines shall take upon him to quarter Men otherwise than is allowed by this Act, or shall use or offer any Menace or Compulsion to or upon any Justice, Constable, or other Civil Officer, tending to deter and discourage any of them from performing any Part of their Duty under this Act, or to do any thing contrary thereto, such Officer shall for every such Offence, being thereof convicted before any Two or more Justices of the County by the Oath of Two credible Witnesses, be deemed and taken to be *ipso facto* cashiered, and shall be utterly disabled to hold any Military Employment in His Majesty's Service; provided a Certificate thereof be forthwith transmitted by the said Justices to the Secretary of the Admiralty, and that the Conviction be

be affirmed at some Quarter Sessions of the Peace for the said County to be held next after the Expiration of Three Months after such Certificate shall have been transmitted as aforesaid; and if any Marine Officer shall take, or knowingly suffer to be taken, any Money or Reward of any Person for excusing the quartering of Officers or Marines, or shall billet any of the Wives, Children, Men or Maid Servants of any Officer or Marine in any House, against the Consent of the Occupier, he shall for any of the said Offences, upon being convicted thereof before a General Court-martial, be cashiered; and if any Officer shall constrain any Carriage to travel beyond the Distance specified in the Justice's Warrant, or shall not discharge the same in due Time for their Return Home on the same Day, if it be practicable, except in the Case of Emergency, for which the Justice shall have given Licence, or shall compel the Driver of any Carriage to take up any Marine or Servant (except such as are sick) or any Woman to ride therein, except in Cases of Emergency as aforesaid, or shall force any Constable, by threatening Words, to provide Saddle Horses for himself or Servants, or shall force Horses from their Owners, or in *Ireland* shall force the Owner to take any Loading until the same shall be first duly weighed, if the same shall be required and can be done within a reasonable Time, or shall, contrary to the Will of the Owner or his Servant, permit any Person whatsoever to put any greater Load upon any Carriage than is directed by this Act, he shall forfeit for every Offence any Sum not exceeding Five Pounds or less than Forty Shillings.

LIII. And be it enacted, That any Person who shall unlawfully have in his or her Possession or Keeping, or who shall knowingly detain, buy, or exchange, or otherwise receive, any Arms, Ammunition, Clothes, Cap, or other Military Furniture or Appointments, from any Marine or Marine Deserter, or any other Person, upon any Account or Pretence whatsoever, or shall solicit or entice any Marine, or shall be employed by any Marine, knowing him to be such, to sell any Arms, Ammunition, Clothes, or Military Furniture, or any Provisions, Sheets, or other Articles belonging to any Marine or Marine Deserter, which are generally deemed Regimental Necessaries, according to the Custom of the Royal Marine Corps, or shall change or cause the Colour or Mark of any such Clothes, Appointments, or Necessaries to be changed or defaced, shall forfeit for every such Offence any Sum not exceeding Twenty Pounds nor less than Five Pounds, together with Treble the Value of all or any of the several Articles of which such Offender shall so become possessed; and if any credible Person shall prove on Oath before a Justice of the Peace a reasonable Cause to suspect that any Person has in his or her Possession, or on his or her Premises, any Property of the Description herein-before described, on or with respect to which any such Offence shall have been committed, the Justice may grant a Warrant to search for such Property as in the Case of stolen Goods.

Penalty for
purchasing
Clothes, &c.
from any
Marine.

LIV. And for the better Preservation of the Game and Fish in or near such Place, where any Officers shall at any Time be quartered, be

Penalty on
Officers
killing Game.

it enacted, That every Officer who shall, without Leave in Writing from the Person or Persons entitled to grant such Leave, take, kill, or destroy any Game or Fish within the United Kingdom, and who upon Complaint thereof shall be, upon Oath of One or more credible Witness or Witnesses, convicted before any Justice, shall for every such Offence forfeit the Sum of Five Pounds.

Officers not
liable to
take Parish
Apprentices.

LV. And be it enacted, That no Officer of His Majesty's Royal Marine Forces residing in Barracks or elsewhere under Military Law shall be deemed liable to have any Parish Poor Child bound Apprentice to him.

Mode of
recording
a Marine's
Settlement.

LVI. And be it enacted, That any Justice in the United Kingdom, within whose Jurisdiction any Marine shall be quartered, may summon such Marine before him, which Summons such Marine is hereby required to obey, and take his Examination in Writing upon Oath, touching the Place of his last legal Settlement in *England*, and such Justice shall give an attested Copy of such Examination to the Person so examined, to be by him delivered to his Commanding Officer, to be produced when required; which said Examination and such attested Copy shall be at any Time admitted in Evidence as to such last legal Settlement before any Justice or at any General or Quarter Sessions of the Peace, although such Marine be dead or absent from the Kingdom: Provided always, that in case any Marine shall be again summoned to make Oath as aforesaid, then, on such Examination or such attested Copy being produced, such Marine shall not be obliged to make any other or further Oath with regard to his legal Settlement, but shall leave with such Justice a Copy of such Examination, or a Copy of such attested Copy of Examination, if required.

Administra-
tion of Oaths.

Perjury.

LVII. And be it enacted, That all Oaths which are authorized or required by this Act may be administered (unless where otherwise provided) by any Justice of the Peace or Magistrate acting as such; and that any Person giving false Evidence or taking a false Oath in any Case wherein an Oath is authorized or required to be taken by this Act, and being thereof duly convicted, shall be deemed guilty of wilful and corrupt Perjury, and shall be liable to such Pains and Penalties as Persons convicted of wilful and corrupt Perjury are or may be subject and liable to.

Licences of
Canteens.

LVIII. And be it enacted, That it shall be lawful for any Two Justices of the Peace, within their respective Jurisdictions, to grant or transfer any Licence for selling by Retail any Spirit, Beer, Wine, Cider, or Perry to any Person or Persons applying for the same who shall hold any Canteen under any Lease thereof, or by Agreement with any Department or other Authority under the said Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral, for the Time being, without regard to the Time of Year, or any Notices or Certificates required by any Act in respect of such Licences; and the Commissioners of Excise within their respective Districts shall also grant or transfer any such Licence

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as aforesaid; and such Persons holding such Canteens, and having such Licences as aforesaid, may sell therein Victuals, and all such exciseable Liquors as they shall be licensed and empowered to sell, without being subject for so doing to any Penalty or Forfeiture whatever.

LIX. And be it enacted, That if any Action shall be brought Limitation of Actions. against any Member or Minister of a Court-martial to be assembled under the Authority of this Act, in respect of the Proceedings or the Sentence thereof, or against any other Person for any thing done in pursuance or under the Authority of this Act, the same shall be brought in some one of the Courts of Record at *Westminster* or *Dublin*, or in the Court of Session in *Scotland*, and shall be commenced within Six Months next after the Cause of Action shall arise, and that it shall be lawful for the Defendant or Defendants therein to plead thereto the General Issue, and to give all special Matter in Evidence on the Trial; and if the Verdict shall be for the Defendant in any such Action; or if the Plaintiff shall become Nonsuit, or suffer any Discontinuance thereof, or if, in *Scotland*, the Court shall see fit to assilzie the Defendant or dismiss the Complaint, the Court in which the Matter shall be tried shall allow the Defendant Treble Costs, for the Recovery of which he shall have the like Remedy as in other Cases where Costs by the Laws of this Realm are given to Defendants.

LX. And be it enacted, That all Offences for which any Penalties Recovery of Penalties. and Forfeitures are by this Act imposed, not exceeding Twenty Pounds, over and above any Forfeiture of Value and Treble Value, shall and may be determined, and such Penalties and Forfeitures and Forfeiture of Value and Treble Value shall and may be recovered, in any Part of the United Kingdom, before One or more Justices of the Peace, under the Provisions of an Act passed in the Third Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act to facilitate summary Proceedings before Justices of the Peace and others*; and by another Act, passed in the Fifth Year of the Reign of His said late Majesty, intituled *An Act for the more effectual Recovery of Penalties before Justices and Magistrates on Conviction of Offenders, and for facilitating the Execution of Warrants by Constables*: Provided always, that in all Cases in which there shall not be sufficient Goods whereon any Penalty or Forfeiture can be levied, the Offender may be committed and imprisoned for any Time not exceeding Six Months; which said recited Acts shall be used and applied in *Scotland* for the Recovery of all such Penalties and Forfeitures as fully to all Intents as if the said recited Acts had extended to *Scotland*, any thing in the said recited Acts to the contrary notwithstanding; and all such Offences committed in the *British* Isles, or in any of His Majesty's Dominions beyond the Seas, may be determined, and the Penalties and Forfeitures of Value or Treble Value recovered, before any Justices of the Peace or Persons exercising like Authority, according to the Laws of the Part of His Majesty's Dominions in which the Offence shall be committed; and all Penalties and Forfeitures by this Act imposed exceeding Twenty Pounds

Pounds shall be recovered by Action in some of the Courts of Record at *Westminster* or in *Dublin*, or in the Court of Session in *Scotland*, and in no other Court in the United Kingdom, and may be recovered in the *British Isles*, or in any other Parts of His Majesty's Dominions, in any of the Royal or Superior Courts of such Isles or other Parts of His Majesty's Dominions.

Appropriation of Penalties.

5 & 6 W. 4.
c. 76.

LXI. And be it enacted, That one Moiety of every such Penalty or Forfeiture, not including any Treble Value of any Articles, shall go to the Person who shall inform or sue for the same, and the other Moiety, together with the Treble Value of such Articles, or where the Offence shall be proved by the Person who shall inform, then the whole of the Penalty and such Treble Value, shall be paid over and applied in such Manner as the Lord High Admiral or the Commissioners for executing the Office of Lord High Admiral shall direct; any thing in an Act passed in the Fifth and Sixth Year of the Reign of His present Majesty, intituled *An Act to provide for the Regulation of Municipal Corporations in England and Wales*, or in any other Act or Acts of Parliament, to the contrary notwithstanding; and every Justice who shall adjudge any Penalty under this Act shall, within Four Days thereafter at the furthest, report the same and his Adjudication thereof to the Secretary of the Admiralty.

Definition of Terms.

Marines not to be billeted in Private Houses, &c.

LXII. And be it enacted, That all Clauses and Provisions in this Act contained relating to *England* shall be construed to extend to *Wales* and the Town of *Berwick-upon-Tweed*; and all Clauses and Provisions relating to Marines shall be construed to include Non-commissioned Officers and Drummers, unless when otherwise provided; and all Clauses and Provisions relating to Justices shall be construed to extend to all Magistrates authorized to act as such in their respective Jurisdictions; and all the Powers given to and Regulations made for the Conduct of Constables, and all Penalties and Forfeitures for any Neglect thereof, shall extend to all Tithingmen, Headboroughs, and such like Officers, and High Constables and other Chief Officers and Magistrates of Cities, Towns, Villages, and Places in *England* and *Ireland*, who shall act in the Execution of this Act; and all Provisions for billeting Marines in Victualling Houses shall extend and apply to all Inns, Livery Stables, Ale-houses, and to the Houses of Sellers of Wine by Retail, whether *British* or Foreign, to be drank in their own Houses or Places thereunto belonging, and to all Houses of Persons selling Brandy, Strong Waters, Cider, or Metheglin, by Retail, in *England* and *Ireland*; and in *Ireland* when there shall not be found sufficient Room in such Houses, then Marines may be billeted in such Manner as has been heretofore customary: Provided always, that no Officer or Marine shall be billeted in *England* in any private Houses, or in any Canteen held or occupied under the Authority of the Ordnance or Marine Department, or upon Persons who keep Taverns only being Vintners of the City of *London* admitted to their Freedom of that Company in right of Patrimony or Apprenticeship, notwithstanding such Persons who keep such Taverns only have taken out

9

Victualling

Victualling Licences ; nor in the House of any Distiller kept for distilling Brandy and Strong Waters ; nor in the House of any Shopkeeper whose principal Dealings shall be more in other Goods and Merchandise than in Brandy and Strong Waters, so as such Distillers and Shopkeepers do not permit Tippling in such Houses ; nor in the House of Residence in any Part of the United Kingdom of any Foreign Consul, duly credited as such.

LXIII. And be it enacted, That the Churchwardens of every Parish in *England*, and the Constable or other Officer of every Parish or Place in *Scotland*, on receiving a Notification from the Secretary of the Admiralty of the Name of any Marine belonging to the said Parish or Place who has for meritorious Conduct received His Majesty's special Approbation, or who in consequence of Misconduct has been dismissed His Majesty's Service with Disgrace, shall affix such Notification on the Outside of the Door of the Church or Chapel belonging to such Parish or Place on the *Sunday* next succeeding the Receipt of such Notification.

Notification to Parishes of good or bad Conduct of Marines.

LXIV. And it is hereby declared and enacted, That all His Majesty's Royal Marine Forces shall, during the Time they shall be respectively borne on the Books of any of His Majesty's Ships or Vessels in Commission, either as Part of the Complement or as Supernumeraries, or otherwise, be subject and liable in every respect to the Laws for the Government of His Majesty's Forces by Sea, and to the Rules and Discipline of the Royal Navy, and shall and may be proceeded against and punished for Offences committed by them while so borne, in the same Manner as the Officers and Seamen employed in the Royal Navy may be tried or punished : Provided always, that if any Marine Officer or Marine so borne on the Books of any of His Majesty's Ships shall commit on Shore any Offence against due Order and Discipline, and for which he shall not be amenable to a Naval Court-martial or to Naval Discipline, he shall be tried and punished for the same in the same Manner as other Marines may be tried and punished for the like Offences under the Authority of this Act.

Marines to be subject to the Discipline of the Navy while on board Ship.

LXV. And be it enacted, That this Act shall continue in force within *Great Britain* from the Twenty-fifth Day of *April* One thousand eight hundred and thirty-seven until the Twenty-fifth Day of *April* One thousand eight hundred and thirty-eight inclusive ; and within *Ireland*, and in *Jersey*, *Guernsey*, *Alderney*, *Sark*, and the *Isle of Man*, and the Islands thereto belonging, from the First Day of *May* One thousand eight hundred and thirty-seven until the First Day of *May* One thousand eight hundred and thirty-eight inclusive ; and within the Garrison of *Gibraltar*, and in *Spain* and *Portugal*, from the Twenty-fifth Day of *July* One thousand eight hundred and thirty-seven until the Twenty-fifth Day of *July* One thousand eight hundred and thirty-eight inclusive ; and in all other Parts of *Europe* where Royal Marine Forces may be serving, and the *West Indies* and *North America* and *Cape of Good Hope*, from the Twenty-fifth Day of *September* One thousand eight hundred and thirty-seven to

Duration of Act.

the Twenty-fifth Day of *September* One thousand eight hundred and thirty-eight inclusive ; and in all other Places from the Twenty-fifth Day of *November* One thousand eight hundred and thirty-seven to the Twenty-fifth Day of *November* One thousand eight hundred and thirty-eight inclusive.

- Alteration of Act. • LXVI. And be it enacted, That this Act may be altered, varied,
 • or repealed by any Act or Acts to be passed in this present Session of
 • Parliament.

SCHEDULE to which this Act refers.

FORM of OATHS to be taken by MEMBERS of COURTS-MARTIAL.

YOU shall well and truly try and determine according to the Evidence in the Matter now before you. So help you GOD.

I do swear, That I will truly administer Justice, according to the Rules and Articles for the better Government of His Majesty's Royal Marine Forces, and according to an Act now in force for the Regulation of the said Forces while on shore, without Partiality, Favour, or Affection, and if any Doubt shall arise which is not explained by the said Articles or Act, according to my Conscience, the best of my Understanding, and the Custom of War in the like Cases: And I further swear, That I will not divulge the Sentence of the Court until it shall be duly approved; neither will I, upon any Account, at any Time whatsoever, disclose or discover the Vote or Opinion of any particular Member of the Court-martial, unless required to give Evidence thereof as a Witness by a Court of Justice or a Court-martial in a due Course of Law.
So help me GOD.

FORM of OATH of JUDGE ADVOCATE.

I do swear, That I will not, upon any Account whatsoever, disclose or discover the Vote or Opinion of any particular Member of the Court-martial, unless required to give Evidence thereof as a Witness by a Court of Justice or a Court-martial in a due Course of Law.
So help me GOD.

QUESTIONS to be separately put by the JUSTICE to a RECRUIT.

1. What is your Name?
2. In what Parish, and in or near what Town, and in what County were you born?
3. What is your Age?
4. What is your Trade or Calling?
5. Are you an Apprentice?
6. Are you married?
7. Are you ruptured or lame; have you ever been subject to Fits; or have you any Disability or Disorder which impedes the free Use of your Limbs, or unfits you for ordinary Labour?

8. Are

8. Are you willing to be attested to serve in the Royal Marine Forces until you shall be legally discharged?
9. On what Day and by whom were you enlisted?
10. For what Bounty did you enlist?
11. Do you now belong to the Militia?
12. Do you belong to any Regiment, or to the Marines, Ordnance, or Navy?
13. Have you served in the Army, Marines, Ordnance, or Navy?

Note. — The Justice is directed, in putting the Eleventh Question to the Recruit, and before he receives his Answer, distinctly to apprise the Recruit that if he belongs to the Militia, and denies the Fact, he is liable to Six Months Imprisonment.

OATH to be taken by a RECRUIT enlisting.

I do make Oath, That the above Questions have been separately put to me, that the Answers thereto have been read over to me, and that they are the same that I gave, and are true.

I do also make Oath, That I will be faithful and bear true Allegiance to His Majesty, His Heirs and Successors; and that I will, as in Duty bound, honestly and faithfully defend His Majesty, His Heirs and Successors, in Person, Crown, and Dignity, against all Enemies; and will observe and obey all Orders of His Majesty, His Heirs and Successors, and of the Generals and Officers set over me.

So help me GOD.

Witness my Hand

{ Signature of
the Recruit.

Witness present.

Sworn before me at this
Day of One thousand eight
hundred and

Signature of the Justice.

CERTIFICATE to be given by the Justice.

Description of

Age, apparently			
Height,	Feet	-	Inches.
Complexion,			
Eyes,			
Hair,			
<i>Any distinctive Mark.</i>			

to wit. } I of one of His Majesty's Justices of the Peace
Description of the Recruit do hereby certify, That the above is the
; and in my Presence
all

all the foregoing Questions were put to the said ;
 that the Answers written opposite to them are those which he gave
 to me ; and that the Third, Fourth, and Fifth Articles of the Second
 Section of the Rules and Articles for the better Government of His
 Majesty's Royal Marine Forces while on shore, against Mutiny, and
 the First Article of the Third Section of the said Rules and Articles,
 against Desertion, were read over to him ; that he took the Oath of
 Allegiance and Fidelity ; that he received the Sum of
 on being attested this Day ; and that I have given him a Duplicate
 of this Certificate signed with my Name.

Signature of the Justice.

FORM of OATH to be taken by a MASTER whose Apprentice has
 absconded.

I of do make Oath, That I am by Trade
 a , and that was bound to serve as an
 Apprentice to me in the said Trade, by Indenture dated the
 Day of , for the Term of Years ; and that the said
 did on or about the Day of last
 abscond and quit my Service without my Consent ; and that to the
 best of my Knowledge and Belief the said is aged about
 Years. Witness my Hand at the Day of
 One thousand eight hundred and

Sworn before me at this
 Day of One thousand eight }
 hundred and

FORM of JUSTICE'S CERTIFICATE to be given to the MASTER
 of an Apprentice.

to wit. } I one of His Majesty's Justices of the Peace
 of certify, That of
 came before me at the Day of One
 thousand eight hundred and , and made Oath that he
 was by Trade a , and that was bound to serve
 as an Apprentice to him in the said Trade, by Indenture dated the
 Day of , for the Term of Years ; and that
 the said Apprentice did on or about the Day of
 abscond and quit the Service of the said without his
 Consent, and that to the best of his Knowledge and Belief the said
 Apprentice is aged about Years.

DESCRIPTION RETURN of _____ committed to Confinement at _____ on the _____ Day of _____ as a Deserter from the Royal Marines.

Age.	Size.		Complexion.	Colour of		Marks.	Probable Date of Enlistment, and in what District.	Probable Date of Desertion, and from whence.	Name, Occupation, and Address of the Person by whom apprehended.	Particulars of the Evidence upon which the Prisoner is committed.	Whether the Prisoner confessed before the Magistrate that he is a Deserter.
	Feet.	Inches.		Hair.	Eyes.						

I do hereby certify, that the Prisoner has been duly examined before me as to the Circumstances herein stated, and has declared in my Presence that he * a Deserter from the before-mentioned Corps.

Signature and Address of Magistrate.

Signature of Prisoner.

Signature of Informer.

* Insert "is" or "is not," as the Case may be.

* I certify that I have inspected the Prisoner, and consider him fit for active Service.

Signature of Surgeon.

* If a Military Medical Officer be at or near the Place, he will inspect the Deserter, and report as to his Fitness for Military Service.



ANNO SEPTIMO

GULIELMI IV. REGIS.

C A P. IX.

An Act to amend several Acts relating to the Royal Mint.
[21st April 1837.]

WHEREAS an Act was passed in the Thirty-ninth Year of the Reign of His Majesty King George the Third, intituled *An Act to ascertain the Salary of the Master and Worker of His Majesty's Mint*: And whereas another Act was passed in the Session holden in the First and Second Years of the Reign of His present Majesty King William the Fourth, intituled *An Act to reduce the Salary of the Master and Worker of His Majesty's Mint*: And whereas the Monies required for defraying the Charge of the Salary of the Master and Worker and the other Expences of His Majesty's Mint are now provided from various different Sources, partly from Fees, Allowances, and Emoluments authorized by the Indenture between His Majesty and the said Master and Worker, partly from the Consolidated Fund, partly by annual Grants of Parliament, and partly from the Profits derived from the Coinage of Silver and Copper: And whereas the said Fees, Allowances, and Emoluments are payable out of Public Monies applicable to defray the Expences of the Coinage; and it would tend to Simplicity in the Accounts of the Mint that no such Fees, Allowances, or Emoluments should henceforth be payable: And whereas it is expedient that the whole Charge of His Majesty's Mint should be brought annually under the Consideration of Parliament: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Fees, Allowances, and Emoluments granted by the said Indenture between His Majesty and the Master

39 G. 3. c. 94.
1 & 2 W. 4. c. 10.

After 5th of April 1837 all Fees, &c

G g

payable to
the Master
of the Mint
to cease.

Master and Worker of the Mint shall from and after the Fifth Day of *April* One thousand eight hundred and thirty-seven cease and be no longer payable.

So much of
recited Acts
as authorizes
the charging
of Money
upon the Con-
solidated
Fund for
Salaries to
Officers re-
pealed.

II. And be it further enacted, That so much of the said recited Acts and of any other Act or Acts as authorizes the Lord High Treasurer or the Commissioners of His Majesty's Treasury to charge upon the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland* any Sum or Sums of Money for the Salaries and Allowances to the Officers of the Mint in *England* shall, from and after the said Fifth Day of *April* One thousand eight hundred and thirty-seven, be and the same is hereby repealed, save and except such Parts thereof as relate to the Salary payable to the present Comptroller of His Majesty's Mint.

From and
after the
same Date,
the Seignior-
age to be
paid into the
Bank, to the
Credit of
the Consoli-
dated Fund.

III. And be it further enacted, That it shall not be lawful for the Master and Worker of His Majesty's Mint at any Time after the Fifth Day of *April* One thousand eight hundred and thirty-seven to apply any Part of the Seigniorage which accrues upon the Coinage of Silver or Copper in aid of any of the Expences of the said Coinage, or of any of the Expenditure of the Mint, any thing in any Act or Acts to the contrary notwithstanding; and the whole of such Seigniorage shall be paid from Time to Time to the Account of His Majesty's Exchequer at the Bank of *England*, to be carried by the Comptroller General of the Exchequer to the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*.

Treasury
may autho-
rize the
Issue of Mo-
ney for the
Purchase of
Bullion for
Coinage.

IV. And whereas Circumstances may require that the Master and Worker of the Mint should be authorized to purchase Bullion in order to provide Supplies of Coin for the Public Service: And whereas it is expedient to authorize the Issue of Money from the Consolidated Fund for that Purpose; be it therefore enacted, That it shall be lawful for the Lord High Treasurer, or the Commissioners of His Majesty's Treasury, or any Three or more of them, for the Time being, to authorize and direct the Issue, upon Account, to the Master and Worker of His Majesty's Mint from Time to Time, out of the said Consolidated Fund, of such Sum or Sums of Money as may be necessary to effect such Purchases of Bullion for Coinage: Provided always, that such Issues shall not be applied to any other Purpose, and that the whole Amount which shall be received by the Master and Worker of the Mint in payment for the Coin which shall be produced from the Bullion so purchased shall be paid to the Account of His Majesty's Exchequer at the Bank of *England*, to be carried by the Comptroller of the Exchequer to the Consolidated Fund in repayment of the Advances so made: Provided also, that an Account of all such Issues and Repayments in each Year shall be laid before both Houses of Parliament within Ten Days after the Commencement of every Session.

Such Issues
not to be
applied to
any other
Purpose.

Account
thereof to
be annually
laid before
Parliament.



ANNO SEPTIMO

GULIELMI IV. REGIS.

C A P. X.

An Act to alter, amend, and continue for a certain Period, an Act for repealing certain Acts relating to the Removal of poor Persons born in *Scotland* and *Ireland*, and chargeable to Parishes in *England*, and to make other Provisions in lieu thereof. [21st April 1837.]

WHEREAS an Act was passed in the Session of Parliament held in the Third and Fourth Years of the Reign of His present Majesty, intituled *An Act to repeal certain Acts relating to the Removal of poor Persons born in Scotland and Ireland, and chargeable to Parishes in England, and to make other Provisions in lieu thereof, until the First Day of May One thousand eight hundred and thirty-six, and from thence to the End of the then next Session of Parliament*: And whereas the Provisions of the said Act have been found beneficial: And whereas the said Act will expire at the End of the present Session of Parliament, and it is desirable that the same should be continued and renewed as herein-after provided: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said Act, and all and every the Provisions thereof, shall be and the same are hereby continued and renewed to the First Day of *May* One thousand eight hundred and thirty-nine and the End of the then next Session of Parliament.

3 & 4 W. 4.
c. 40.

Recited Act
3 & 4 W. 4.
c. 40. made
perpetual.

Enacted

II. And

Persons removing Poor in pursuance of this Act to have the Powers of Constables.

II. And be it enacted, That every Person to whom any Order for removing a poor Person or Persons, made in pursuance of the said recited Act or of this Act, shall be delivered for the Purpose of being carried into execution, shall and may detain and hold in safe Custody every poor Person mentioned in any such Order until such poor Person shall have arrived at the Place to which he is ordered to be removed, and shall and may for that Purpose in every County and Place through which he shall pass in the due Execution of such Order have and exercise the Powers with which a Constable is by Law invested, notwithstanding such Person may not otherwise be empowered to act as a Constable for the County or Place respectively through which he may have occasion to pass in carrying such Order into full Execution.

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Printers to the King's most Excellent Majesty. 1837.



ANNO SEPTIMO

GULIELMI IV. REGIS.

C A P. XI.

An Act to apply the Sum of Eight Millions, out of the Consolidated Fund, to the Service of the Year One thousand eight hundred and thirty-seven.

[5th May 1837.]

Most Gracious Sovereign,

WE, Your Majesty's most dutiful and loyal Subjects, the Commons of the United Kingdom of *Great Britain* and *Ireland*, in Parliament assembled, towards making good the Supply which we have cheerfully granted to Your Majesty in this Session of Parliament, have resolved to grant unto Your Majesty the Sum herein-after mentioned; and do therefore most humbly beseech Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That there shall and may be issued and applied, for or towards making good the Supply granted to His Majesty for the Service of the Year One thousand eight hundred and thirty-seven, the Sum of Eight Millions, out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, and the Commissioners of His Majesty's Treasury of the United Kingdom of *Great Britain* and *Ireland*, or any Three or more of them, or the Lord High Treasurer of the United Kingdom of *Great Britain* and *Ireland*, for the Time being, are or is hereby authorized and empowered to issue and apply the same accordingly.

There shall be applied, for the Service of the Year 1837, 8,000,000l. out of the Consolidated Fund.

The Treasury may cause 8,000,000*l.* of Exchequer Bills to be made out in manner prescribed by 48 G. 3. c. 1.

II. And be it further enacted, That it shall and may be lawful for the Commissioners of His Majesty's Treasury, or any Three or more of them, for the Time being, from Time to Time, by Warrant under their Hands, to cause or direct any Number of Exchequer Bills to be made out at the Receipt of His Majesty's Exchequer at *Westminster* for any Sum or Sums of Money not exceeding in the whole the Sum of Eight Millions; and such Exchequer Bills shall be made out in the same or like Manner, Form, and Order, and according to the same or like Rules and Directions, as are directed and prescribed in and by an Act passed in the Forty-eighth Year of the Reign of His late Majesty King *George the Third*, intituled *An Act for regulating the issuing and paying off of Exchequer Bills*.

The Clauses, &c. in recited Act extended to this Act.

III. And be it further enacted, That all and every the Clauses, Provisoos, Powers, Privileges, Advantages, Penalties, Forfeitures, and Disabilities contained in the said recited Act passed in the Forty-eighth Year of the Reign of His said late Majesty shall be applied and extended to the Exchequer Bills to be made out in pursuance of this Act, as fully and effectually, to all Intents and Purposes, as if the said several Clauses, Provisoos, Powers, Privileges, Advantages, Penalties, Forfeitures, and Disabilities had been particularly repeated and re-enacted in the Body of this Act.

Interest on Exchequer Bills.

IV. And be it further enacted, That the Exchequer Bills to be made out in pursuance of this Act shall and may bear an Interest not exceeding the Rate of Three-pence Halfpenny *per Centum per Diem* upon or in respect of the whole of the Monies respectively contained therein.

Bank of England may advance 8,000,000*l.* on the Credit of this Act, notwithstanding 5 & 6 W. & M. c. 20.

V. And be it declared and further enacted, That it shall and may be lawful for the Governor and Company of the Bank of *England*, and they are hereby empowered, to take, accept, and receive the Exchequer Bills authorized to be made out in pursuance of this Act, and to advance or lend to His Majesty, at the Receipt of the Exchequer at *Westminster*, upon the Credit of the Sum granted by this Act out of the Consolidated Fund of the United Kingdom of *Great Britain and Ireland*, any Sum or Sums of Money not exceeding in the whole the Sum of Eight Millions; any thing in an Act passed in the Fifth and Sixth Years of the Reign of King *William and Queen Mary*, intituled *An Act for granting to Their Majesties several Rates and Duties upon the Tonnage of Ships and Vessels, and upon Beer, Ale, and other Liquors; and for securing certain Recompences and Advantages in the said Act mentioned to such Persons as shall voluntarily advance the Sum of One million five hundred thousand Pounds towards carrying on the War against France*, or any other Act or Acts, to the contrary notwithstanding.

The Treasury may cause the Bills to be delivered to the Bank of England as Security for Advances.

VI. And be it further enacted, That it shall be lawful for the said Commissioners of the Treasury, and they are hereby authorized and empowered, to cause such Bills as shall be prepared by virtue of this Act to be delivered from Time to Time to the Governor and Company of the Bank of *England*, in such Proportions as the Public Service may require, as Security for any Advance or Advances which

may be made to His Majesty by the said Governor and Company of the Bank of *England* under the Authority of this Act.

VII. And be it further enacted, That it shall be lawful for the said Commissioners of His Majesty's Treasury to issue and apply from Time to Time all such Sums of Money as shall be raised by Exchequer Bills to be made out in pursuance of this Act to such Services as shall then have been voted by the Commons of the United Kingdom of *Great Britain* and *Ireland* in this present Session of Parliament.

The Treasury may apply the Money raised to the Services of the Year.

VIII. And be it further enacted, That the Principal Sum or Sums of Money to be contained in all such Exchequer Bills to be made forth by virtue of this Act, together with the Interest that may become due thereon, shall be and the same are hereby made chargeable and charged upon the growing Produce of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland* in the next succeeding Quarter to that in which the said Exchequer Bills have been issued; and it shall be lawful for the Commissioners of His Majesty's Treasury for the Time being, or any Three or more of them, and they are hereby authorized, from Time to Time, by Warrant under their Hands, to direct the Comptroller General of the Receipt of the Exchequer at *Westminster*, in such Manner as they shall think necessary, to grant a Credit on the Exchequer Funds in the Bank of *England* unto such Person or Persons as shall be named in the said Warrant, which Credit shall be chargeable on and paid out of the growing Produce of the said Consolidated Fund of the next succeeding Quarter to that in which the said Exchequer Bills have been issued, any Sum or Sums of Money not exceeding in the whole a Sum sufficient to discharge and pay off the Principal Sum or Sums of Money contained in such Exchequer Bills then outstanding, and which may have been made out and issued by virtue of this Act, together with all such Interest as may be due thereupon.

Exchequer Bills made chargeable upon the growing Produce of the Consolidated Fund.



ANNO SEPTIMO

GULIELMI IV. REGIS.

C A P. XII.

An Act to indemnify such Persons in the United Kingdom as have omitted to qualify themselves for Offices and Employments, and for extending the Time limited for those Purposes respectively until the Twenty-fifth Day of *March* One thousand eight hundred and thirty-eight; and for the Relief of Clerks to Attornies and Solicitors in certain Cases. [8th *June* 1837.]

WHEREAS, divers Persons, who, on account of their Offices, Places, Employments, or Professions, or any other Cause or Occasion, ought to have taken and subscribed the Oaths or Assurance respectively appointed to be by such Persons taken and subscribed in and by an Act made in the First Year of the Reign of His late Majesty King *George the First*, of glorious Memory, intituled *An Act for the further Security of His Majesty's Person and Government, and the Succession of the Crown in the Heirs of the late Princess Sophia, being Protestants; and for extinguishing the Hopes of the pretended Prince of Wales, and his open and secret Abettors*; or to have qualified themselves according to an Act made in the Thirteenth Year of the Reign of King *Charles the Second*, intituled *An Act for the well-governing and regulating of Corporations*; or to have qualified themselves according to another Act made in the Twenty-fifth Year of the Reign of King *Charles the Second*, intituled *An Act for preventing*

1 G. 1. st. 2.
c. 13.
13 C. 2. st. 2.
c. 1.
25 C. 2. st. 2.
c. 2.

K k

- preventing the Dangers which may happen from Popish Recusants; or according to another Act made in the Thirtieth Year of the Reign of
- 30 C. 2. st. 2. King Charles the Second, intituled *An Act for the more effectual preserving the King's Person and Government, by disabling Papists from sitting in either House of Parliament*; or according to another Act made in the Eighth Year of the Reign of His late Majesty King
- 8 G. 1. c. 6. George the First, intituled *An Act for granting the People called Quakers such Forms of Affirmation or Declaration as may remove the Difficulties which many of them lie under*; or according to another Act made in the Ninth Year of the Reign of His late Majesty
- 9 G. 2. c. 26. King George the Second, intituled *An Act for indemnifying Persons who have omitted to qualify themselves for Offices within the Time limited by Law, and for allowing further Time for that Purpose; and for amending so much of an Act passed in the Second Year of the Reign of His present Majesty as requires Persons to qualify themselves for Offices before the End of the next Term or Quarter Sessions, and also for enlarging the Time limited by Law for making and subscribing the Declaration against Transubstantiation; and for allowing a further Time for Enrolment of Deeds and Wills made by Papists; and for Relief of Protestant Purchasers, Devisees, and Lessees*; or according to another Act made in the Eighteenth Year of the Reign of His late Majesty King George the Second, intituled
- 18 G. 2. c. 20. *An Act to amend and render more effectual an Act passed in the Fifth Year of His present Majesty's Reign, intituled 'An Act for the further Qualification of Justices of the Peace'*; or according to another Act made in the Sixth Year of the Reign of His late Majesty King George
- 6 G. 3. c. 53. the Third, intituled *An Act for altering the Oath of Abjuration, and the Assurance; and for amending so much of an Act made in the Seventh Year of the Reign of Her late Majesty Queen Anne, intituled 'An Act for the Improvement of the Union of the Two Kingdoms,' as after the Time therein limited requires the Delivery of certain Lists and Copies therein mentioned to Persons indicted of High Treason or Misprision of Treason*; or according to another Act passed in the Ninth Year of the Reign of His late Majesty King George the
- 9 G. 4. c. 17. Fourth, intituled *An Act for repealing so much of several Acts as imposes the Necessity of receiving the Sacrament of the Lord's Supper as a Qualification for certain Offices and Employments*; or according to another Act passed in the Tenth Year of the Reign of His said
- 10 G. 4. c. 7. late Majesty, intituled *An Act for the Relief of His Majesty's Roman Catholic Subjects, so far only as the said Act relates to any Civil or Military Offices or Places of Trust, or Places of Profit or Corporate Offices; have, through Ignorance of the Law, Absence, or some unavoidable Accident, omitted to take and subscribe the Oaths and Assurance and make and subscribe the Declaration required by the said recited Acts or either of them, or otherwise to qualify themselves as aforesaid, within such Time and in such Manner as in and by the said Acts respectively is required, whereby they have incurred, or may be in danger of incurring, divers Penalties and Disabilities: For quieting the Minds of His Majesty's Subjects, and for preventing any Inconvenience that might otherwise happen by means of such Omissions, be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by*

by the Authority of the same, That all and every Person or Persons who, at or before the passing of this Act, hath or shall have omitted to take and subscribe the Oaths and Declarations, or otherwise to qualify him, her, or themselves, within such Time and in such Manner as in and by the said Acts or any of them is required, and who, after accepting any such Office, Place, or Employment, or undertaking any Profession or Thing, on account of which such Qualification ought to have been had and is required, before the passing of this Act hath or have taken and subscribed the said Oaths or made the Declarations required by Law, or who, on or before the Twenty-fifth Day of *March* One thousand eight hundred and thirty-eight, shall take and subscribe the Oaths, Declarations, and Assurance respectively, in such Cases wherein by the said several Acts or any or either of them the said Oaths, Declarations, and Assurance ought to have been taken and subscribed, in such Manner and Form, and at or in such Place or Places, as are appointed in and by the said several Acts or any or either of them, shall be and are hereby indemnified, freed, and discharged from and against all Penalties, Forfeitures, Incapacities, and Disabilities incurred or to be incurred for or by reason of any Neglect or Omission, previous to the passing of this Act, of taking or subscribing the said Oaths or Assurance, or making or subscribing the said Declarations respectively, or taking or subscribing the said Oath, according to the above-mentioned Acts or any of them, or any other Act or Acts; and such Person or Persons is and are and shall be fully and actually recapacitated and restored to the same State and Condition as he, she, or they were in before such Neglect or Omission, and shall be and be deemed and adjudged to have duly qualified him, her, or themselves according to the above-mentioned Acts and every of them; and that all Elections of, and Acts done or to be done by, any such Person or Persons, or by Authority derived from him, her, or them, are and shall be of the same Force and Validity as the same or any of them would have been if such Person or Persons respectively had taken the said Oaths or Assurance, and made and subscribed the said Declarations respectively, and taken and subscribed the said Oath, according to the Directions of the said Acts and every or any of them; and that the Qualification of such Person or Persons qualifying themselves in manner and within the Time appointed by this Act shall be to all Intents and Purposes as effectual as if such Person or Persons had respectively taken the said Oaths and Assurance, and made and subscribed the said Declarations respectively, and taken and subscribed the said Oath, within the Time and in the Manner appointed by the several Acts before mentioned.

Persons who have omitted to qualify themselves as required by the recited Acts indemnified and allowed further Time.

II. And whereas several Persons well affected to His Majesty's Government, and to the United Church of *England* and *Ireland*, have, through Ignorance of the Law, neglected, or been, by Sickness or other unavoidable Causes, prevented from taking and subscribing the Declaration according to the Directions of an Act passed in the Parliament of *Ireland* in the Second Year of the Reign of Her late Majesty Queen *Anne*, intituled *An Act to prevent the further Growth of Popery*; be it therefore enacted, That all Persons who have incurred any Penalty or Incapacity in the said recited Act mentioned,

Indemnity to those who have omitted to make and subscribe the Oath and Declaration required by the Irish Act of 2 Anne.

mentioned, by neglecting to qualify themselves according to the said Act, shall be and are hereby indemnified, freed, and discharged from all Incapacities, Disabilities, Penalties, and Forfeitures incurred by reason of such Omission or Neglect as aforesaid; and that no Act done by any of them, not yet avoided, shall be questioned or avoided by reason of such Omission or Neglect, but that all such Acts shall be and are hereby declared to be as good and effectual as if such Persons respectively had taken and subscribed the said Oath, and made and repeated and subscribed the said Declaration, at such Time and Place and Manner as in the said Act is mentioned; any thing in the said Act to the contrary notwithstanding: Provided always, that such Person or Persons do and shall take and subscribe the said Oaths, and make, repeat, and subscribe the said Declaration, in such Manner and Form, and in such Place or Places respectively, as are directed and appointed by the said last-recited Act, on or before the Twenty-fifth Day of *March* One thousand eight hundred and thirty-eight.

Not to indemnify Persons against whom final Judgment is given.

• • III. Provided always, and be it further enacted, That this Act, or any thing herein contained, shall not extend or be construed to extend to indemnify any Person against whom final Judgment shall have been given in any Action of Debt, Bill, Plaint, or Information, in any of His Majesty's Courts of Record, for any Penalty incurred by having neglected to qualify himself within the Time limited by Law.

Not to exempt Justices acting without legal Qualification.

IV. Provided always, and be it further enacted, That nothing contained in this Act shall extend or be construed to extend to exempt any Justice of the Peace within *Great Britain* from the Penalties to which he is subject for acting as such without being possessed of the Qualification required by the Laws now in force.

Admissions to Corporations may be stamped after Time allowed by Law.

V. And whereas the Appointment of divers Clerks of the Peace, Town Clerks, and other Public Officers, and the Admission of divers Members and Officers of Cities, Corporations, and Borough Towns in *Great Britain* and *Ireland*, or the Entries of such Admissions in the Court Books, Rolls, or Records of such Cities, Corporations, and Borough Towns, which by several Acts are directed and required to be stamped, may not have been provided or the same not stamped, or may have been lost or mislaid; be it further enacted, That for the Relief of such Persons whose Appointments and Admissions, or the Entries of whose Admissions as aforesaid, may not have been provided, or not duly stamped, or where the same have been lost or mislaid, it shall and may be lawful to and for such Persons in *Great Britain* or *Ireland*, on or before the Twenty-fifth Day of *March* One thousand eight hundred and thirty-eight, to provide or cause to be provided Appointments and Admissions, or Entries of Admissions, as aforesaid, duly stamped; or in case where such Appointments, Admissions, or Entries of Admissions as aforesaid have been made or provided, but have not been duly stamped, to produce such Appointments, Admissions, or Entries of Admissions as aforesaid to the Commissioners appointed to inspect and manage the Revenues of the Stamp Duties, to be duly stamped, which such Commissioners are

hereby

hereby authorized and empowered and required to duly stamp, on Payment of Double the Amount of the Duties first payable or to have been paid on such Appointments, Admissions, or Entries as aforesaid, without any other Fine or Forfeiture thereon; and, in order to denote the said Duties, the said Commissioners are hereby authorized and empowered to use such Stamps as shall have been heretofore provided to denote any former Duties on stamped Vellum, Parchment, and Paper, or to cause new Stamps to be provided for that Purpose, and to do all other Things necessary for putting this Act in execution, in the like and in as full and ample Manner as they or the major Part of them are authorized to put in execution any former Law concerning stamped Vellum, Parchment, and Paper; and such Persons so providing Appointments, Admissions, or Entries of Admissions as aforesaid, duly stamped, or procuring the same to be duly stamped in manner aforesaid, are and shall be hereby confirmed and qualified to act as Clerk of the Peace, Town Clerk, and other Public Officer, or Member or Members, Officer or Officers of such Cities, Corporations, and Borough Towns respectively, to all Intents and Purposes, and shall and may hold and enjoy and execute such Offices, or any other Office or Offices into which he or they hath or have been elected, notwithstanding his or their Omission, or the Omission of any of their Predecessors in such Cities, Corporations, or Borough Towns as aforesaid, and shall be indemnified and discharged of and from all Incapacities, Disabilities, Forfeitures, Penalties, and Damages by reason of any such Omission; and none of his or their Acts shall be questioned or avoided by reason of the same.

VI. And whereas many Persons who may have paid the proper Stamp Duties, either before or within Six Months after the Execution of the Contracts in Writing entered into by them to serve as Clerks to Attornies or Solicitors, Scriveners or Notaries Public, in *Great Britain*, have omitted to cause Affidavits to be made, and afterwards to be filed in the proper Office, of the actual Execution of such Contracts, and have also omitted to cause such Contracts and the Indentures thereof to be enrolled within the Time in which the same ought to have been done; and many Solicitors, Attornies, Notaries Public, and others have omitted to take out Annual Certificates, or to enter the same in the proper Office; and many Infants and others may thereby incur certain Disabilities: For preventing thereof, and relieving such Persons, be it enacted, That every Person who shall, either before or within Six Months after the Execution of such Contract or Indenture, have paid the proper Stamp Duty in that Behalf, and who at the passing of this Act shall have neglected or omitted to cause any such Affidavit or Affidavits as aforesaid to be made and filed, or such Contract or Indenture to be enrolled, and who, on or before the First Day of *Hilary* Term One thousand eight hundred and thirty-eight, shall cause such Contract or Indenture to be enrolled with the proper Officer in that Behalf, and One or more Affidavit or Affidavits to be made, and afterwards to be filed, in such Manner as the same ought to have been made and filed in due Time, shall be and is hereby indemnified, freed, and discharged from and against all Penalties, Forfeitures, Incapacities, and Disabilities in or by any Act or Acts of Parliament mentioned, and incurred or to be incurred for or by reason of such Neglect or Omission;

Neglect of
Attornies,
&c. in taking
out their
Annual Cer-
tificates not
to disqualify
the Persons
who have
served them.

Omission; and every such Affidavit and Affidavits so to be made, and which shall be duly filed on or before the First Day of *Hilary* Term One thousand eight hundred and thirty-eight, shall be as effectual to all Intents and Purposes as if the same had been made and filed within the respective Times the same ought, by the Laws now in being for that Purpose, to have been made and filed; and that the respective Officer or Officers, who ought to receive, file, enter, or register such Contract or Indenture, or Affidavit or Affidavits, shall not refuse to receive, file, enter, or register the same by reason that the Attorney, Solicitor, or Notary Public to whom such Infant or other Person shall have been articted or have contracted to serve, shall have neglected to take out his Annual Certificate, or to register the same, but such Officer or Officers are hereby directed and empowered to receive, file, enter, or register the same, notwithstanding such Omission; and that every Person who shall have regularly served any Attorney or Attornies, Solicitor or Solicitors, Notary Public or Notaries Public, for the Term of Years required by Law, shall not be prevented or disqualified from being admitted an Attorney, Solicitor, or Notary Public, by reason of any Omission of the Person or Persons to whom he served for the same Term, or for any Part thereof, having so neglected to take out his Annual Certificate, or to register the same, provided that such Person is otherwise entitled to be created and admitted to such Office by the Laws now in force relating thereto.

Defects in
the Service,
&c. of At-
tornies not
to disqualify
Persons who
have served
them.

VII. And be it enacted, That in case the Attorney, Solicitor, Proctor, or Notary to whom any Person shall have duly served his Clerkship under Articles in Writing for that Purpose shall after such Service of the Clerk be struck off the Roll in consequence of some Defect in the Service under the Articles of Clerkship or of the Admission and Enrolment of such Attorney, Solicitor, Proctor, or Notary, the Person who has so duly served his Clerkship shall not be prevented or disqualified from being admitted and enrolled as an Attorney, Solicitor, Proctor, or Notary, nor liable to be struck off the Roll if admitted, by reason of any such Defect as aforesaid, provided that such Clerk or Person be otherwise entitled to be admitted and enrolled according to the Laws now in force relating thereto.

Applications
for striking
Attornies off
the Roll for
Defect in
Articles, &c.
to be made
within 12
Months of
Admission.

VIII. And be it further enacted, That no Person who has been admitted and enrolled and in actual Practice as an Attorney, Solicitor, Proctor, or Notary shall be liable to be struck off the Roll for or on account of any Defect in the Articles of Clerkship, or the Registry thereof, or the Service under such Articles, or of his Admission and Enrolment, unless the Application for striking him off the Roll be made within Twelve Months from the Time of his Admission and Enrolment.

The Word
"Months" in
7 G. 4. c. 44.
to mean
Calendar
Months.

IX. And whereas by an Act passed in the Seventh Year of the Reign of His late Majesty King *George* the Fourth, to allow, until the Tenth Day of *October* One thousand eight hundred and twenty-six, the Enrolment of certain Articles of Clerkship, and for other Purposes therein mentioned, it was enacted, that it should not be lawful for the Commissioners of Stamps, or any of their Officers, to stamp, under any Pretence whatever, after the Expiration of Six Months

Months from their Date, any Articles of Clerkship to Attornies or others, as therein specified: And whereas the using of the Word "Months" in the said last-mentioned Act, in this respect, without the Addition of the Word "Calendar," occasioned Mistakes and Inconveniences; be it enacted, That from and after the passing of this Act the Word "Months" used in the said last-mentioned Act, so far as the same relates to the stamping of Articles of Clerkship to Attornies and others therein specified, shall be understood to mean Calendar Months.

X. And whereas several Persons bound to serve as Clerks or Apprentices to Attornies or Solicitors have applied to have the Indentures or Contracts of such Clerkship stamped after the Expiration of Six Lunar and before the Expiration of Six Calendar Months from the Date thereof; be it further enacted, That it shall and may be lawful for the Commissioners of Stamps and Taxes, or any of their proper Officers, at any Time before the last Day of *Michaelmas* Term One thousand eight hundred and thirty-seven, to stamp any Articles of Clerkship, Contract, Indenture, or other Instrument whereby any Person hath become bound to serve as a Clerk or Apprentice, in order to his Admission as an Attorney or Solicitor in any of the Courts of Law or Equity, although the Period of Six Calendar Months from the Date thereof hath now elapsed, upon Payment of the proper Duty payable in respect of the same, and of the further Sum of Five Pounds by way of Penalty, provided it shall be proved to the Satisfaction of the said Commissioners that Application was made to them or to their proper Officer to have such Articles, Contract, Indenture, or Instrument stamped within Six Calendar Months from the Date thereof.

Indentures, &c. may be stamped before last Day of *Michaelmas* Term 1837 if Application was made therefor within Six Calendar Months from the Dates thereof.

XI. Provided always, and be it further enacted, That this Act or any thing herein contained shall not extend or be construed to extend to restore or entitle any Person or Persons to any Office or Employment, Benefice, Matter, or Thing whatsoever, already actually avoided by Judgment of any of His Majesty's Courts of Record, already legally filled up and enjoyed by any other Person; but that such Office or Employment, Benefice, Matter, or Thing, so avoided or legally filled up and enjoyed, shall be and remain in and to the Person or Persons who is or are now or shall at the passing of this Act be legally entitled to the same, as if this Act had never been made.

Not to restore Persons to any Office avoided by Judgment.

XII. And be it further enacted, That in case any Action, Suit, Bill of Indictment, or Information shall from and after the passing of this Act be brought, carried on, or prosecuted against any Person or Persons hereby meant or intended to be indemnified, recapacitated, or restored, for or on account of any Forfeiture, Penalty, Incapacity, or Disability whatsoever incurred or to be incurred by any such Neglect or Omission, such Person or Persons may plead the General Issue, and upon their Defence give this Act and the special Matter in Evidence upon any Trial to be had thereupon.

General Issue.



ANNO SEPTIMO

GULIELMI IV. REGIS.

C A P. XIII.

An Act to amend the Acts for regulating the
General Penitentiary at *Millbank*.

[8th June 1837.]

WHEREAS it is expedient to amend the Acts for regulating the General Penitentiary at *Millbank*, as herein-after mentioned: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall be lawful for His Majesty, by an Order in Writing to be notified in Writing by One of His Majesty's Principal Secretaries of State, to direct that any Male or Female Offenders in any Prison or other Place of Confinement within *Great Britain*, under Sentence or Order of any Court, or of any competent Authority, for any Offence committed by them, shall be removed from the Prison or other Place of Confinement in which they are confined to the General Penitentiary at *Millbank*, there to remain under the respective Sentences or Orders relating to them, or until further Order shall be given by the like Authority for carrying such Sentences or Orders into effect according to Law; all such Offenders during their Confinement in such Penitentiary to be subject to all Powers, Provisions, and Regulations for the Confinement, Employment, and Management of Convicts in such Penitentiary: Provided always, that where any Offender shall be removed to such Penitentiary under any Order purporting to be

His Majesty may direct Prisoners to be removed to the General Penitentiary, there to remain under their Sentences until further Orders for carrying such Sentences into effect.

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made by virtue of the previous Provision of this Act, the Sentence or Order of the Court or other competent Authority relating to such Offender shall still remain in full Force, and shall not be affected or abridged by the subsequent Provisions of this Act.

So much of
56 G.3. c.63.
as regulates
the Terms of
Confinement
of Convicts
removed to
the Peni-
tentiary
repealed,
and other
Terms sub-
stituted.

II. And whereas by an Act passed in the Fifty-sixth Year of the Reign of King George the Third, intituled *An Act to regulate the General Penitentiary for Convicts at Millbank in the County of Middlesex*, it is among other things enacted, that it shall and may be lawful for His Majesty, by an Order in Writing to be notified by the Secretary of State, to direct that any Person who may be under Sentence or Order of Transportation for any Offence committed within that Part of the United Kingdom called *England and Wales*, and who having been examined by an experienced Surgeon or Apothecary shall appear to be free from any putrid or infectious Distemper, and fit to be removed from the Gaol or Prison in which such Person may be confined, shall be removed to the said Penitentiary, there to remain and continue for and during the Term of Five Years in case such Convict shall be under Sentence or Order of Transportation for Seven Years only, and for and during the Term of Seven Years in case such Convict shall be under Sentence or Order of Transportation for Fourteen Years, and for and during the Term of Ten Years in case such Convict shall be under Sentence or Order for Life: And whereas it is expedient to repeal the herein-before recited Part of the said Act, and also such Part of the said Act as relates to reducing the Term of Confinement in the said Penitentiary in consequence of the previous Confinement of the Convict in some other Prison; be it therefore enacted, That the said Parts of the said Act shall be and the same are hereby repealed; and that it shall be lawful for His Majesty, by an Order in Writing to be notified by the Secretary of State, to direct that any Person who may be under Sentence or Order of Transportation for any Offence committed in that Part of the United Kingdom called *Great Britain*, and who having been examined by an experienced Surgeon or Apothecary shall appear to be free from any putrid or infectious Distemper, and fit to be removed from the Gaol or Prison in which such Person may be confined, shall be removed to the said Penitentiary, there to remain and continue for and during the Term of Three Years in case such Convict shall be under Sentence or Order of Transportation for Seven Years only, and for and during the Term of Four Years in case such Convict shall be under Sentence or Order for Fourteen Years, and for and during the Term of Five Years in case such Convict shall be under Sentence or Order for Life; the said respective Terms of Three Years, Four Years, and Five Years to be computed from the Day of the Conviction of the Offender.

Terms of
Imprison-
ment of Con-
victs re-
moved to the
Penitentiary
before the
passing of
this Act.

III. And be it further enacted, That every Convict who shall have been removed before the passing of this Act to the said Penitentiary, there to remain and continue for and during the Term of Five Years, Seven Years, or Ten Years, in lieu of any Sentence or Order of Transportation for Seven Years, Fourteen Years, or for Life, as the Case may be, shall remain and continue in the said Penitentiary for and during the Term of Three Years, in case such Convict shall have

been under Sentence or Order of Transportation for Seven Years only, and for and during the Term of Four Years in case such Convict shall have been under Sentence or Order for Fourteen Years, and for and during the Term of Five Years in case such Convict shall have been under Sentence or Order for Life; the respective Terms of Three Years, Four Years, or Five Years to be computed from the Day of the Conviction of the Offender: Provided always, that it shall be lawful for the superintending Committee of the said Penitentiary to recommend as Objects of the Royal Mercy, on the Ground of good Conduct, any of such Convicts who shall have been removed to the said Penitentiary before the passing of this Act, being at the Time of such Removal under Sentence or Order of Transportation for Life or for Fourteen Years.

Superintending Committee may recommend any of such Convicts as Objects of the Royal Mercy.

IV. And be it further enacted, That so much of the several Acts passed for the Management of the said Penitentiary as relates to Recommendations by the superintending Committee of Convicts to His Majesty as Objects of the Royal Mercy, (save and except such Convicts herein-before described as were removed to the said Penitentiary before the passing of this Act,) and to the Division of Convicts into Classes, called the First and Second Classes, and to the burning or selling and disposing of the Clothes of Prisoners, and to the granting to them any Part of the Profits arising from their Labour, and to the Payment of Money to Prisoners for good Conduct after their Discharge, shall be and the same is hereby repealed.

Provisions of former Acts as to dividing of Convicts into Classes, and to their Clothes, Allowances, and Rewards, repealed, (except, &c.)

V. Provided always, and be it enacted, That where any Convict shall have been removed or may hereafter be removed to the said Penitentiary under Two Sentences of Transportation each for the Term of Seven Years, or under Two Sentences of Transportation each for the Term of Fourteen Years, such Two Sentences for Seven Years shall for the Purposes of this Act be deemed equivalent to One Sentence of Transportation for Fourteen Years, and such Two Sentences for Fourteen Years shall for the like Purposes be deemed equivalent to One Sentence of Transportation for Life.

As to Convicts removed under Two Sentences of Transportation.

VI. Provided always, and be it further enacted, That nothing in this Act contained shall in any Manner affect His Majesty's Royal Prerogative of Mercy.

Saving the King's Prerogative.

VII. And be it further enacted, That this Act, or any Part thereof, may be amended, altered, or repealed by any Act or Acts to be passed in this present Session of Parliament.

Alteration of Act.



ANNO SEPTIMO

GULIELMI IV. REGIS.

C A P. XIV.

An Act to explain and amend Two Acts relating to
Trial by Jury in *Scotland*. [8th June 1837.]

WHEREAS by an Act passed in the Fifty-fifth Year of the
Reign of His Majesty King *George* the Third, intituled
An Act to facilitate the Administration of Justice in that 55 G. 3. c. 42.
Part of the United Kingdom called Scotland by the extending Trial
by Jury to Civil Causes, it is enacted, that it shall be competent to
the Counsel for any Party at the Trial of any Issue or Issues to
except to the Opinion and Direction of the Judge or Judges before
whom the same shall be tried, either as to the Competency of Wit-
nesses, the Admissibility of Evidence, or other Matter of Law arising
at the Trial, and that on such Exception being taken the same
shall be put in Writing by the Counsel for the Party objecting, and
signed by the Judge or Judges, but notwithstanding the said Ex-
ception the Trial shall proceed, and the Jury shall give a Verdict
therein for the Pursuer or Defender, and assess Damages when
necessary; and after the Trial of every such Issue or Issues the
Judge who presided shall forthwith present the said Exception, with
the Order or Interlocutor directing such Issue or Issues, and a
Copy of the Verdict of the Jury indorsed thereon, to the Division
by which the said Issue or Issues were directed, which Division
shall thereupon order the said Exception to be heard in Presence
on or before the Fourth Sederunt Day thereafter; and in case the
said Division shall allow the said Exception, they shall direct another

N n

Jury.

Jury to be summoned for the Trial of the said Issue or Issues ; or if the Exception shall be disallowed, the Verdict shall be final and conclusive as herein-after mentioned ; provided always, that it shall be competent to the Party against whom any Interlocutor shall be pronounced on the Matter of the Exception to appeal from such Interlocutor to the House of Lords, attaching a Copy of the Exception to the Petition of Appeal, certified by one of the Clerks of Session, so as such Appeal shall be presented to the House of Lords within Fourteen Days after the Interlocutor shall have been pronounced, if Parliament shall be then sitting, or if Parliament shall not be sitting, then within Eight Days after the Commencement of the next Session of Parliament, but not afterwards, and so as the Proceedings on such Appeal do conform in all respects to the Rules and Regulations established respecting Appeals ; and every such Appeal shall be appointed to be heard on or before the Fourth Cause Day after the Time limited for laying the printed Cases in such Appeal upon the Table of the House of Lords ; and upon the hearing of such Appeal the House of Lords shall give such Judgment regarding the further Proceedings, either by directing a new Trial to be had, or otherwise, as the Case may require : And whereas by an Act passed in the Fifty-ninth Year of the Reign of His said Majesty King George the Third, intituled *An Act to amend an Act passed in the Fifty-fifth Year of the Reign of His present Majesty, intituled ' An Act to facilitate the Administration of Justice in that Part of the United Kingdom called Scotland by extending Trial by Jury to Civil Causes,'* it is enacted, that if the Motion for setting aside the Verdict be founded on the Misdirection of the Judge at the Trial in Matter of Law, or on the undue Admission or Rejection of Evidence, it shall be competent to the Party against whom Judgment is given by the Jury Court to tender a Bill of Exceptions to such Judgment in the same Manner as at a Trial, and the Proceedings on such Bills of Exceptions shall be conformable in all respects to the Provisions of the Act of the Fifty-fifth Year of the Reign of His present Majesty herein-before recited regarding Bills of Exceptions : And whereas Doubts have arisen whether, according to the Enactments herein-before recited, the Court of Appeal is not authorized in Cases coming before it upon Bills of Exceptions to order another or new Trial, although such Court of Appeal should be of Opinion that the Exception is not to be allowed ; and it is expedient that such Doubts should be removed : Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, and it is hereby enacted, That henceforth in all Cases in which any Bill of Exceptions is brought before the Court of Session, or carried by Appeal to the House of Lords, it shall not be competent to the Court of Session or to the House of Lords in pronouncing Judgment on such Bill of Exceptions to make any Order or to pronounce any Judgment ordering a new Trial, unless the said Court or House of Lords shall be of Opinion that the Exception is to be allowed ; and that in all Cases of Bills of Exceptions in which it shall be the Opinion of the said Court or House of Lords that the Law directed at the Trial, or the Determination to receive or reject Evidence and excepted to, is correct,

On Bills of Exceptions, the Court of Session or House of Lords not authorized to order a new Trial unless they are of Opinion that Exceptions

correct, the said Court or House of Lords shall make an Order that the Bill of Exceptions shall be disallowed, and that the Verdict found by the Jury shall be carried into effect by a Judgment pronounced thereon for the Party in whose Favour the said Verdict was found; any thing in the said recited Acts, or in any other Act of Parliament, to the contrary notwithstanding. ^{should be allowed.}

LONDON: Printed by GEORGE EYRE and ANDREW SPOTTISWOODE,
Printers to the King's most Excellent Majesty. 1837.



ANNO SEPTIMO

GULIELMI IV. REGIS.

C A P. XV.

An Act to discharge His Majesty's Manor and Demesne Lands at *Newark* in the County of *Nottingham* from any Costs of rebuilding or repairing *Trent* and *Markham* Bridges, and to charge the same on the other Hereditary Revenues of the Crown. [8th June 1837.]

WHEREAS His Majesty, in right of His Crown, is seised of the Manor and Demesne Lands of *Newark* in the County of *Nottingham*: And whereas it is alleged that the Owner of the said Manor and Demesne Lands is exclusively, or in conjunction with the Owner or Owners of other Lands, or with other Persons, Bodies Corporate, Collegiate, or Ecclesiastical, liable to repair or rebuild a certain Bridge over the River *Trent* called "*Trent Bridge*," and a certain Bridge over the River *Devon* called "*Markham Bridge*," both situate at or near *Newark*: And whereas certain Parts of the said Demesne Lands and Hereditaments have been lately sold by the Commissioners of His Majesty's Woods, Forests, Land Revenues, Works, and Buildings, under the Authority of the Commissioners of His Majesty's Treasury; and by one of the Conditions under which the same Demesne Lands and Hereditaments were sold it was stipulated that the Hereditaments sold should be exonerated from such alleged Liability to repair and maintain the said Bridges: And whereas it is expedient that the said Manor, and all and singular the Demesne Lands and

O o

and

Lands within
the Manor of
Newark dis-
charged from
the Repair of
Trent and
Markham
Bridges.

and Possessions now or late of His Majesty at *Newark* aforesaid, or elsewhere within the said Manor, should be discharged from all Costs and Expences whatsoever in anywise relating to the Repairs and rebuilding of the said Two Bridges or either of them: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said Manor of *Newark* and the Demesne Lands thereof, and all and singular other the Lands and Possessions now or late of the Crown situate at *Newark*, or elsewhere within the said Manor, and the Owner and Owners, Occupier and Occupiers thereof, shall henceforth and for ever hereafter be freed and discharged from all Liability to make or repair the said Bridges or either of them, or in anywise relating thereto, and of and from all Actions, Suits, and Proceedings whatsoever for or in respect of the same.

The Question
as to the Li-
ability to re-
pair such
Bridges may
be determi-
ned in an Ac-
tion at Law.

II. And be it enacted, That the Question whether the said Manor, Demesne Lands, or other the Possessions aforesaid of the Crown, or any Part thereof, or the Owner or Owners, Occupier or Occupiers thereof, for the Time being, are or are not exclusively, or in conjunction with any other Lands, or with any Body Corporate, Collegiate, or Ecclesiastical, liable to the Maintenance and Repairs of the said Bridges or either of them, may be determined in an Action at Law at any Assizes holden for the County of *Northampton*, in a feigned Action or Actions, by any Person or Persons whomsoever, to be for that Purpose commenced in His Majesty's Court of Exchequer at *Westminster* against the Commissioners of His Majesty's Woods, Forests, Land Revenues, Works, and Buildings; and the Defendants in such Action or Actions shall forthwith name an Attorney or Attornies, who shall file Common Bail, or appear and accept One or more Issue or Issues, whereby the Matters in question may be properly tried and determined, such Issues to be settled by the proper Officer or Officers of the said Court if the Parties shall differ about the same; and if at the Trial of any such Issue or Issues it shall appear that the said Manor, Demesne Lands, and other Possessions, or any Part thereof, or the Owner or Owners, Occupier or Occupiers thereof for the Time being, shall not be exclusively or in conjunction as aforesaid liable to the Repairs or Maintenance of the said Bridges or either of them, the Jury by whom such Issue or Issues shall be tried shall find for the Defendants; but if it shall appear to such Jury that the said Manor, Demesne Lands, or other Possessions, or any of them, or the Owner or Owners, Occupier or Occupiers thereof for the Time being, are exclusively or in conjunction as aforesaid liable to the Maintenance and Repairs of the said Bridges or either of them, then such Jury shall find for the Plaintiff; and such Verdict shall be binding on all Parties whomsoever, unless the said Court of Exchequer shall set aside such Verdict, and order a new Trial to be had thereupon, which it shall be lawful for the Court to do as is usual in like Cases.

Each Party
to pay their
own Costs.

III. And be it enacted, That not any of the Parties to such Suit or to any Proceedings relative thereto shall be liable to the Payment of the Costs of the other Party or Parties thereto, nor shall the

Crown or the said Commissioners be in any Event entitled to claim or receive Costs from the other Party or Parties, notwithstanding the Verdict or Verdicts, Judgment or Judgments, may pass or be given against such other Party or Parties in such Suit or Proceedings.

IV. And be it enacted, That if His Majesty's Attorney and Solicitor General for the Time being shall, upon a Case or Cases to be submitted to them by or on behalf of the Commissioners for the Time being of His Majesty's Woods, Forests, Land Revenues, Works, and Buildings, be of opinion that the said Manor, Demesne Lands, or other the Possessions aforesaid of the Crown, or the Owner or Owners, Occupier or Occupiers thereof for the Time being, are exclusively or in conjunction as aforesaid liable to the Maintenance and Repairs of the said Bridges or either of them, or on any such Verdict as aforesaid which shall be found for the Plaintiff, and not set aside as aforesaid, the said Commissioners for the Time being of His Majesty's Woods, Forests, Land Revenues, Works, and Buildings shall, from the annual Income of the said Possessions and Land Revenues of the Crown for the Time being, and any Monies which shall come to their Hands as such Commissioners in respect thereof, pay and discharge such Sum or Sums of Money, or such fair and just Proportion thereof in conjunction as aforesaid, as shall from Time to Time be necessary for the Repairs and Maintenance of the said Two Bridges or either of them: Provided nevertheless, that on any such Verdict which shall be found for the Defendants, and not set aside as aforesaid, the Owner or Owners, Occupier or Occupiers of the said Manor and Demesne Lands shall for ever thereafter be liable to contribute to the Repairs and Maintenance of the said Bridges or either of them, in such and the same Proportions as they would or might have been liable under the existing Laws with respect to County Rates; any thing herein-before contained to the contrary thereof notwithstanding.

If it should be decided that the Lands are liable to the Repair, the Commissioners of Woods and Forests to pay the Sums of Money required for that Purpose.

V. Provided always, and be it enacted, That if either of the Parties in any Action or Actions to be brought in pursuance of this Act shall die, or if any of the said Commissioners of His Majesty's Woods, Forests, Land Revenues, Works, and Buildings shall resign or be removed from being a Commissioner or Commissioners, pending such Action or Actions, the same shall not abate by reason thereof, but shall be proceeded in as if no such Event had happened.

Action not to cease upon Death or Removal of Parties thereto.



ANNO SEPTIMO

GULIELMI IV. REGIS.

C A P. XVI.

An Act for raising the Sum of Eleven Millions by Exchequer Bills, for the Service of the Year One thousand eight hundred and thirty-seven.

[8th June 1837.]

Most Gracious Sovereign,

WE, Your Majesty's most dutiful and loyal Subjects, the Commons of the United Kingdom of *Great Britain* and *Ireland*, in Parliament assembled, towards raising the necessary Supplies which we have cheerfully granted to Your Majesty in this Session of Parliament, have resolved to give and grant unto Your Majesty the Sum herein-after mentioned; and do therefore most humbly beseech Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall be lawful for the Commissioners of His Majesty's Treasury of the United Kingdom of *Great Britain* and *Ireland* at any Time or Times to cause or direct any Number of Exchequer Bills to be made out at the Receipt of the Exchequer at *Westminster* for any Sum or Sums of Money not exceeding in the whole the Sum of Eleven Millions, in the same or like Manner, Form, and Order, and according to the same or like Rules and Directions, as are prescribed in an Act passed in the Forty-eighth Year of the Reign of His Majesty King *George* the Third, intituled *An Act for regulating the Issue and paying off of Exchequer Bills*.

Treasury
may raise
11,000,000*l*.
by Exche-
quer Bills in
like Manner
as is pre-
scribed by
48 G. 3. c. 1.

The Clauses,
&c. in recited
Act extend-
ed to this
Act.

II. And be it further enacted, That all and every the Clauses, Provisoos, Powers, Privileges, Advantages, Penalties, Forfeitures, and Disabilities contained in the said Act shall be applied and extended to the Exchequer Bills to be made out in pursuance of this Act, as fully and effectually, to all Intents and Purposes, as if the said several Clauses or Provisoos had been particularly repeated and re-enacted in the Body of this Act.

The Treasu-
ry to apply
the Money
raised.

III. And be it further enacted, That it shall be lawful for the said Commissioners of the Treasury to issue and apply from Time to Time all such Sums of Money as shall be raised by Exchequer Bills to be made out in pursuance of this Act to such Services as shall then have been voted by the Commons of the United Kingdom of *Great Britain and Ireland* in this present Session of Parliament.

Bills to be
payable out
of Supplies
of the next
Session.

IV. And be it further enacted, That the Principal Sum or Sums of Money to be contained in such Exchequer Bills shall be and are hereby charged and chargeable upon and shall be paid and discharged by and out of the first Supplies to be granted in the next Session of Parliament.

Interest on
Exchequer
Bills.

V. And be it further enacted, That the Exchequer Bills to be made out in pursuance of this Act shall bear Date on the Days on which the same shall be respectively issued, and shall and may bear an Interest not exceeding the Rate of Three-pence Halfpenny *per Centum per Diem* upon or in respect of the whole of the Monies respectively contained therein, payable out of any Aids or Supplies in the Receipt of His Majesty's Exchequer at *Westminster*.

Bills to be
current at the
Exchequer
after April 5,
1838.

VI. And be it further enacted, That all and every the Exchequer Bills to be made forth by virtue of this Act, or so many of them as shall from Time to Time remain undischarged and uncanceled, shall and may, from and after the Fifth Day of *April* One thousand eight hundred and thirty-eight, be received and taken and shall pass and be current to all and every the Receivers and Collectors in *Great Britain* of the Customs, Excise, or any Revenue, Supply, Aid, or Tax whatsoever, already granted, due, or payable, or which shall or may hereafter be granted, due, or payable to His Majesty, His Heirs and Successors, and also at the Bank of *England* to the Account of His Majesty's Exchequer from the said Receivers or Collectors, or from any other Person or Persons, Bodies Politic or Corporate whatsoever, making any Payment there to His Majesty, His Heirs and Successors, for or upon any Account, Cause, or Occasion whatsoever, according to the Purport and true Meaning of this Act.

Bank of En-
gland may
advance
11,000,000*l.*
on the Credit
of this Act,
notwith-
standing
5 & 6 W. & M.
c. 20.

VII. And be it declared and further enacted, That it shall and may be lawful for the Governor and Company of the Bank of *England* to advance or lend to His Majesty, upon the Credit of the Exchequer Bills to be made out in pursuance of this Act, any Sum or Sums of Money not exceeding in the whole the Sum of Eleven Millions, any thing in an Act passed in the Fifth and Sixth Years of the Reign of King *William* and Queen *Mary*, intituled *An Act for granting to Their Majesties several Rates and Duties upon Tonnage of Ships and Vessels*,

Vessels, and upon Beer, Ale, and other Liguors; and for securing certain Recompences and Advantages in the said Act mentioned to such Persons as shall voluntarily advance the Sum of One million five hundred thousand Pounds towards carrying on the War against France, or in any subsequent Act, to the contrary thereof in anywise notwithstanding.

LONDON: Printed by GEORGE EYRE and ANDREW SPOTTISWOODE,
Printers to the King's most Excellent Majesty. 1837.



ANNO SEPTIMO

GULIELMI IV. REGIS:

C A P. XVII.

An Act for carrying to the Consolidated Fund certain Monies paid into the Exchequer, and usually applied as a Part of the annual Aids and Supplies; and for cancelling Stock transferred to the Commissioners for the Reduction of the National Debt on account of the Redemption of Land Tax. [10th June 1837.]

Most Gracious Sovereign,

WHEREAS an Act was passed in the Sixth Year of the Reign of His present Majesty, intituled *An Act to apply certain Sums to the Service of the Year One thousand eight hundred and thirty-six—seven*: And whereas it is expedient that the Sums arising from the Repayment into the Exchequer of Loans of Exchequer Bills for Public Works, and Relief of Losses in the *West Indies*, and from the Payment of Sixty thousand Pounds by the *East India* Company, and of Balances paid by the Bank of *England*, which were by the said recited Act issued and applied for

6 W. 4. c. 1.

Sums paid
into the Ex-
chequer pur-
suant to the
several Acts
herein men-
tioned shall
be carried to
and made
Part of the
Consolidated
Fund.

4 G. 4. c. 71.

56 G. 3. c. 97.

or towards making good the Supply granted to His Majesty for the Service of the Year One thousand eight hundred and thirty-six — seven, should hereafter be carried to and make Part of the Consolidated Fund of the United Kingdom of *Great Britain and Ireland* : We, Your Majesty's most dutiful and loyal Subjects, the Commons of the United Kingdom of *Great Britain and Ireland* in Parliament assembled, do therefore most humbly beseech Your Majesty that it may be enacted ; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That all Sums of Money which may have been or shall be paid into the Exchequer after the Fifth Day of *April* One thousand eight hundred and thirty-seven, in respect of Exchequer Bills issued pursuant to several Acts, passed in the Fifty-seventh Year of the Reign of His late Majesty King *George* the Third, and in the Third Year of the Reign of His Majesty King *George* the Fourth, and in the First and Second and Fourth and Fifth Years of the Reign of His present Majesty, for authorizing the Issue of Exchequer Bills for carrying on Public Works and Fisheries in the United Kingdom, and pursuant to an Act passed in the First and Second Years of the Reign of His present Majesty, for the Relief of Persons who sustained Losses in the *West Indies* ; and also the additional Sum of Sixty thousand Pounds to be annually paid into the Exchequer by the United Company of Merchants of *England* trading to the *East Indies* towards the Expence of Retiring Pay, Pensions, and Allowances to His Majesty's Forces serving in *India*, in pursuance of an Act passed in the Fourth Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act for defraying the Charge of Retiring Pay, Pensions, and other Expences of that Nature of His Majesty's Forces serving in India ; for establishing the Pensions of the Bishop, Archdeacons, and Judges ; for regulating Ordinations ; and for establishing a Court of Judicature at Bombay* ; and also such Sums as may have been or shall be paid into the Exchequer by the Governor and Company of the Bank of *England* after the Fifth Day of *April* One thousand eight hundred and thirty-seven, pursuant to an Act passed in the Fifty-sixth Year of the Reign of His Majesty King *George* the Third, intituled *An Act to authorize the advancing for the Public Service a Proportion of the Balance that shall remain from Time to Time in the Bank of England for the Payment of Dividends on account of the Public Debt, for Lottery Prizes or Benefits not claimed, Principals of Stocks and Annuities remaining unclaimed*, shall from and after the passing of this Act, and thereafter as such Payments shall be made, be carried to and made Part of the Consolidated Fund of the United Kingdom of *Great Britain and Ireland* ; provided that if at any Time the Balance in the Bank of *England* under the said recited Act passed in the Fifty-sixth Year of the Reign of His Majesty King *George* the Third shall be reduced to a less Sum than One hundred thousand Pounds, then so much of the Money advanced by the said Governor and Company shall be repaid to them as shall be equal to the Sum by which the said Balance shall be less than the Sum of

One hundred thousand Pounds; and the Lord High Treasurer, or the Commissioners of His Majesty's Treasury of the United Kingdom of *Great Britain and Ireland*, now or for the Time being, or any Three or more of them, or the Comptroller General of His Majesty's Exchequer, is or are hereby authorized and empowered to issue and apply the same out of the growing Produce of the Consolidated Fund of the United Kingdom of *Great Britain and Ireland* accordingly.

II. And be it enacted, That it shall be lawful for the Commissioners of His Majesty's Treasury, or any Three or more of them for the Time being, to order and direct the Payment out of the said Consolidated Fund of any Exchequer Bills now outstanding, or which may remain to be issued under the said recited Acts, when the same shall be paid off, in Money, as well as of any Charges and Expences heretofore charged and deducted or paid under the Provisions of any of the said Acts authorizing the Issue of Exchequer Bills as Loans for carrying on Public Works or Fisheries, and the Relief of Losses in the *West Indies*, out of any Repayment of any such Loan, or out of any Money in the Exchequer arising therefrom, any thing in any of the said Acts to the contrary notwithstanding.

Treasury empowered to pay off Exchequer Bills issued under the recited Acts.

III. And whereas under the Provisions of an Act passed in the Thirty-eighth Year of the Reign of King *George the Third*, intituled *An Act for making perpetual, subject to Redemption and Purchase in the Manner therein stated, the several Sums of Money now charged in Great Britain as a Land Tax for One Year, from the Twenty-fifth Day of March One thousand seven hundred and ninety-eight*; and of another Act passed in the Thirty-ninth Year of the Reign of His said Majesty, intituled *An Act to enlarge the Time limited for the Redemption of the Land Tax; and to explain and amend an Act made in the last Session of Parliament, intituled 'An Act for making perpetual, subject to Redemption and Purchase in the Manner therein stated, the several Sums of Money now charged in Great Britain as a Land Tax for One Year, from the Twenty-fifth Day of March One thousand seven hundred and ninety-eight'*; and of another Act passed in the Fifty-third Year of the Reign of His said Majesty, intituled *An Act to amend and render more effectual several Acts passed for the Redemption and Sale of the Land Tax*, the several Capitals of Stock herein-after mentioned have been transferred into the Names of the Commissioners for the Reduction of the National Debt in the Books of the Governor and Company of the Bank of *England* on account of the Redemption of Land Tax, and the Dividends thereon have from Time to Time ceased to be issued from the Receipt of His Majesty's Exchequer, according to the Directions of the said Acts: And whereas no Provision has been made by the said Acts for the cancelling of the said Capital Stock, notwithstanding the Cessation of the Issue of the Dividends thereon, and it is therefore expedient to provide for the same; be it therefore enacted, That from and after the passing of this Act the following

38 G. 3. c. 60.

39 G. 3. c. 6.

53 G. 3. c. 123.

Certain Capital Stock standing in Capital

the Books of
the Bank on
11 March
1837 to be
cancelled.

Capital Stock, which on the Eleventh Day of *March* One thousand eight hundred and thirty-seven was standing in the Names of the said Commissioners in the Books of the said Bank on account of the Redemption of the Land Tax, shall be and the same is hereby directed to be cancelled; namely, the Sum of Fourteen million three hundred and eighteen thousand eight hundred and fifty-six Pounds Seven Shillings and Nine-pence Consolidated Three Pounds *per Centum* Annuities, and the Sum of Eleven million two hundred and seventy-three thousand one hundred and six Pounds Eleven Shillings and Seven-pence Reduced Three Pounds *per Centum* Annuities, standing in the Names of the Commissioners for the Reduction of the National Debt on account of the Redemption of the Land Tax, pursuant to the said recited Act of the Thirty-ninth Year aforesaid; the Sum of Three hundred and forty-six thousand seven hundred and forty-nine Pounds Two Shillings and Three-pence Consolidated Three Pounds *per Centum* Annuities, and the Sum of Three hundred and twenty-nine thousand three hundred and fifty-five Pounds Thirteen Shillings Reduced Three Pounds *per Centum* Annuities, standing in the Names of the said Commissioners on account of the Redemption of the Land Tax, pursuant to the said recited Act of the Fifty-third Year aforesaid, and Schedules (A. 2.) and (B. 2.) of the said Act; the Sum of Two hundred and forty-one thousand and seventy-nine Pounds Nineteen Shillings and Five-pence Consolidated Three Pounds *per Centum* Annuities, and the Sum of One hundred and ninety thousand seven hundred and nine Pounds Eight Shillings and Four-pence Reduced Three Pounds *per Centum* Annuities, Part of the Sums standing in the Names of the said Commissioners on account of the Redemption of the Land Tax, pursuant to the said recited Act of the Fifty-third Year aforesaid, and Schedules (C.), (D. 1.), and (D. 2.) of the said Act; and that from and after the Fifth Day of *April* One thousand eight hundred and thirty-eight the Sum of Two hundred and twenty-one Pounds Six Shillings and Three-pence Consolidated Three Pounds *per Centum* Annuities, and the Sum of Two hundred and Forty-eight Pounds Nine Shillings and Sixpence Reduced Three Pounds *per Centum* Annuities, the Residue of the Sums standing in the Names of the said Commissioners on account of the Redemption of the Land Tax, pursuant to the said recited Act of the Fifty-third Year aforesaid, and the Schedules (C.), (D. 1.), and (D. 2.) to the said Act, shall be in like Manner cancelled; and the said Governor and Company are hereby directed to cause the said several Capitals of Stock to be cancelled in their Books accordingly.

Certain
other Ca-
pital Stock,
when the
Dividends
cease, shall
be cancelled.

IV. And be it enacted, That whenever any Capital Stock shall in future be transferred into the Names of the Commissioners for the Reduction of the National Debt on account of the Redemption of the Land Tax, and the Dividends whereof shall have ceased to be issued from the Receipt of His Majesty's Exchequer, in pursuance of the Directions of any existing Acts, or of any future Act or Acts which may be passed for the Redemption of the Land Tax, such Capital Stock shall in like Manner be cancelled: Provided always, that the Accountant General of the said Governor and Company shall from

from Time to Time certify to the said Commissioners of His Majesty's Treasury, and to the said Commissioners for the Reduction of the National Debt, the Amount and Description of the Capital Stock so cancelled.

V. • And whereas the Monies arising from the Sale and Redemption of the Land Tax, where the Consideration for the same is paid in Money, under the Provisions of the said recited Acts, have from Time to Time been paid by the Receivers General or other Receivers thereof into the Bank of *England*, and such Monies, or so much thereof as was necessary for the Purpose, have been applied in the Purchase of Capital Stock for the Completion of the Contracts of Sale and Redemption of Land Tax, or in replacing Sums of Money from Time to Time advanced for that Purpose in pursuance of the Provisions of the said recited Acts: And whereas the Monies arising as aforesaid have proved more than sufficient for the Purchase of such Capital Stock, and for the replacing of the Monies advanced as aforesaid, and the Surplus thereof is now in the said Bank of *England* unappropriated, and standing to the Credit of the Commissioners for the Reduction of the National Debt, or of the said last-mentioned Commissioners, and sundry Receivers General; and it is expedient to appropriate such Surplus, and any other Surplus that may from Time to Time hereafter arise, in like Manner in the Purchase of Capital Stock, to be transferred into the Names of the Commissioners for the Reduction of the National Debt, and to be cancelled in the Manner directed by this Act: And whereas under the Provisions of the said recited Acts for the Sale and Redemption of Land Tax the Parties entering into Contracts are entitled in certain Cases to a Re-transfer of the Stock or a Part thereof, or a Return of the Money or a Part thereof, so transferred or paid by them, together with certain Dividends payable thereon; be it therefore enacted, That the Commissioners for the Reduction of the National Debt shall from Time to Time invest in the Purchase of Capital Stock, of Consolidated Three Pounds *per Centum* Annuities or Reduced Three Pounds *per Centum* Annuities, so much of the Monies now or at any Time hereafter standing in the Books of the Governor and Company of the Bank of *England* arising from the Sale and Redemption of the Land Tax as the Commissioners of Stamps and Taxes shall from Time to Time certify to them to be proper so to be invested; and all such Capital Stock so to be purchased shall be transferred into the Names of the said Commissioners for the Reduction of the National Debt, into a new Account to be created for that Purpose in the Books of the said Governor and Company, to be called "The Accumulation Account on account of the Redemption of Land Tax," and shall be cancelled as herein-before directed; and the Remainder of such Surplus shall remain liable to the Payment of so much Money as the Commissioners of Stamps and Taxes shall from Time to Time certify to the Commissioners for the Reduction of the National Debt any Party to be entitled to receive as an Equivalent for any Stock, Money, and Dividends which under the Provisions of any or either of the said last-recited Acts such Party is or may be entitled to; and the said Commissioners

Appropriation of surplus Monies arising from the Redemption of the Land Tax.

7° GULIELMI IV. Cap.17.

of Stamps and Taxes are hereby authorized and empowered to direct the said Commissioners for the Reduction of the National Debt to pay such Money accordingly.

LONDON: Printed by GEORGE EYRE and ANDREW SPOTTISWOODE,
Printers to the King's most Excellent Majesty. 1837.

ANNO REGNI
VICTORIÆ,

Britanniarum Reginae,

PRIMO.

At the Parliament begun and holden at *Westminster*, the Nineteenth Day of *February*, *Anno Domini* 1835, in the Fifth Year of the Reign of our Sovereign Lord WILLIAM the Fourth :

And from thence continued to the Twentieth Day of *June* 1837, in the First Year of the Reign of our Sovereign Lady VICTORIA, by the Grace of God, Queen of the United Kingdom of *Great Britain* and *Ireland*, Defender of the Faith ; being a Continuation of the THIRD SESSION of the TWELFTH PARLIAMENT of the United Kingdom of *Great Britain* and *Ireland*.



LONDON:.

Printed by GEORGE EYRE and ANDREW SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1837..



ANNO PRIMO

VICTORIÆ REGINÆ.

C A P. XVIII.

An Act for continuing until the First Day of *June* One thousand eight hundred and thirty-nine, and to the End of the then Session of Parliament, the several Acts for regulating the Turnpike Roads in *Great Britain* which will expire with the present, or with the next Session of Parliament. [30th *June* 1837.]

WHEREAS it is expedient that the several Acts for regulating Turnpike Roads in *Great Britain*, herein-after particularly referred to, should be continued for a limited Time; be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That all and every Acts and Act for making, amending, or repairing any Turnpike Road or Roads in *Great Britain*, which will expire at the End of the present Session of Parliament, and all and every Acts and Act of Parliament for making, amending, or repairing any Turnpike Road or Roads in *Great Britain* which will expire on the First Day of *June* One thousand eight hundred and thirty-eight, or if Parliament shall then be sitting, at the End of the

Turnpike
Acts near
expiring con-
tinued for a
further Term.

then Session of Parliament, shall be and the same are and is hereby continued until the First Day of *June* One thousand eight hundred and thirty-nine, or if Parliament shall then be sitting, until the End of the then Session of Parliament.

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ANNO PRIMO

VICTORIÆ REGINÆ.

C A P. XIX.

An Act to empower the Recorder or other Person presiding in Quarter Sessions in Corporate Cities and Towns, and Justices of the Peace for Counties, Ridings, or Divisions, to divide their respective Courts in certain Cases. [30th June 1837.]

WHEREAS in large Corporate Cities and Towns the Quarter Sessions of the Peace may sometimes last beyond Three Days, and where such is the Case considerable Inconvenience and increased Expence will result from the Detention of Jurors and Witnesses and the unavoidable Attendance of a large Portion of the Municipal Police: And whereas for the remedying thereof it is expedient that a similar Power of forming a Second Court to that which is vested in the Justices at the General Quarter Sessions for Counties, by virtue of an Act passed in the Fifty-ninth Year of His late Majesty King George the Third, intituled *An Act to empower Magistrates to divide the Court of Quarter Sessions*, should be given to the Recorder or other Person presiding in the Court of Quarter Sessions of Corporate Cities or Towns: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That whenever it shall appear to such Recorder or other Person presiding as aforesaid

59 G. 3. c.28.
Power to the Recorder or other Person

T t

• presiding
to form a Se-
cond Court
and appoint
a Barrister
to preside
therein.

Clerk of the
Peace in
such Cases
appoint an
Assistant,

Recorder
may direct
such Court
to be ad-
journd.
Proceedings
preliminary
to the Exer-
cise of the
Powers here-
by given.

Remunera-
tion to Of-
ficers of said
Second
Court.

aforesaid that the said Quarter Sessions are likely to last more than Three Days, including the Day of assembling, it shall and may be lawful for such Recorder or other Person so presiding, at his Discretion, but subject to the Provisions herein-after contained, to order a Second Court to be formed, and to appoint by Writing under his Hand and Seal a Barrister at Law, of not less than Five Years standing, to preside, and try such Felonies and Misdemeanors as shall be referred to him therein, whilst the said Recorder or other Person is sitting in such Quarter Sessions; and for the effectual Execution of the Powers of this Act, such Recorder or other Person so presiding shall be empowered in such Case to call upon the Clerk of the Peace, and such Clerk of the Peace is in such Case hereby authorized and required to appoint an Assistant, and such Recorder or other Person shall himself appoint an additional Crier for such Second Court; and such Barrister shall be styled "Assistant Barrister," and shall exercise, for the Time being, whilst the said Recorder or other Person is so sitting as aforesaid, the same Powers as are exercised by the said Recorder or other Person presiding as aforesaid, and subject to the same Rules and Regulations; and the Proceedings so had by and before such Assistant Barrister shall be as good and effectual in the Case to all Intents and Purposes as if the same were had before the said Recorder or other Person so presiding as aforesaid, and shall be enrolled and recorded accordingly: Provided always, that if at any Time during the Sitting of such Second Court the Recorder or other Person shall be of opinion that it is no longer required, he may direct the Assistant Barrister, at a proper Opportunity, to adjourn the same: Provided also, that no such Recorder or other Person so presiding as aforesaid shall at any Time exercise the Powers and Discretion given by this Act, unless it shall have been theretofore and before each such Quarter Sessions certified to him under the Hand or Hands of the Mayor or of Two of the Aldermen of such Corporate City or Town, that the Council of such Corporate City or Town have resolved that it will be expedient and for the Benefit of the Inhabitants thereof that the same should be exercised, nor unless the Name of the Barrister proposed to be appointed, in case such Recorder or other Person shall in the Exercise of such Discretion deem such Appointment necessary, shall have at some previous Time been transmitted to and approved of by One of His Majesty's Principal Secretaries of State as a fit and proper Person to be from Time to Time so appointed.

II. And be it further enacted, That such Assistant Barrister shall be entitled to a Remuneration of Ten Guineas *per Diem* for each Day that he shall so preside as aforesaid; and such Assistant Clerk of the Peace shall be entitled to a Remuneration of Two Guineas *per Diem*; and such additional Crier shall be entitled to a Remuneration of Half-a-Guinea *per Diem*, for such Time as they shall execute their respective Offices in such Second Court; and such Remuneration shall be paid by the Treasurer of the Borough out of the Borough Fund; and the Recorder or other Person presiding shall grant a Certificate to such Assistant Barrister, such Assistant Clerk of the Peace, and such additional Crier respectively, stating the Number of Days that each shall have executed his several Office, and the Amount that he is entitled to claim; and such Certificate shall be a

sufficient Authority to the Treasurer of the Borough to pay the same, and shall be retained by him as a Voucher for such Payment: Provided always, that such Assistant Barrister, Assistant Clerk of the Peace, or additional Crier, shall not in any Case be entitled to claim Remuneration for more than Two Days.

III. And be it further enacted, That the Appointments and Certificates authorized and directed by this Act shall not be subject to any Stamp Duty or other Tax whatsoever.

Appoint-
ments not
subject to
Duty.

IV. And whereas Doubts have arisen whether it is lawful for the Justices assembled at any adjourned Quarter Sessions of the Peace held for any County, Riding, or Division to carry into effect the Provisions of the Act passed in the Fifty-ninth Year of His late Majesty King *George the Third*, as aforesaid: Be it therefore enacted, That from and after the passing of this Act it shall be lawful for the Justices assembled at any adjourned Quarter Sessions of the Peace for any County, Riding, or Division, on the first Day that they shall assemble, should the State of the Business be such at such adjourned Quarter Sessions as is likely to occupy more than Three Days, including the Day of their being so assembled, to appoint Two or more Justices to sit apart from themselves in some Place in or near the Court, there to hear and determine such Business as shall be referred to them whilst others of the Justices are at the same Time proceeding in the Despatch of the other Business of the same Court; and the Proceedings so had by and before such Two or more Justices so sitting apart shall be as good and effectual in the Law to all Intents and Purposes as if the same were had before the Court assembled and sitting as usual in its ordinary Place of sitting, and shall be enrolled and recorded accordingly.

Two or more
Justices at
adjourned
Quarter Ses-
sions may
sit apart for
Despatch of
Business.

V. And be it further enacted, That this Act may be amended, altered, or repealed by any other Act to be passed in this present Session.

Act may be
altered this
Session.

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Printers to the Queen's most Excellent Majesty. 1837.

whereas divers Messuages, Houses, Buildings, Lands, Tenements, and other Hereditaments were and have been purchased and taken for the Purposes of the said Canal and Military Road and other Works belonging thereto, and the same were by the said Act vested in the said Commissioners, for and on behalf of His Majesty, His Heirs and Successors: And whereas another Act was passed in the First and Second Years of the Reign of His late Majesty King George the Fourth, intituled *An Act for vesting all Estates and Property occupied for the Ordnance Service in the principal Officers of the Ordnance, and for granting certain Powers to the said principal Officers*: And whereas another Act was passed in the Second Year of the Reign of His present Majesty, intituled *An Act to extend and render more effectual Two Acts of the First and Second and Third Years of the Reign of His late Majesty King George the Fourth, respecting the Estates and Property thereby vested in the principal Officers of the Ordnance, and to facilitate the public Business in the Ordnance Department*: And whereas it hath been deemed expedient to place the Management and Control of the said Canal, Military Road, and other Works belonging thereto under Charge of the Master General and the principal Officers of the Ordnance; and it is therefore necessary that the same, and all the Estates and Property belonging thereto, should be vested in the said principal Officers for the Time being; be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That immediately from and after the passing of this Act all and singular the said Military Canal, Military Road, and Towing Paths, Cuts, and other Works thereof or belonging thereto, and all Messuages, Houses, Buildings, Lands, Tenements, and other Hereditaments purchased and taken for the Purposes thereof by virtue of the said Act of the Forty-seventh Year of the Reign of His late Majesty King George the Third, and also all the Rates and Tolls thereby authorized and allowed to be established, fixed, demanded, collected, taken, and recovered at or upon or for or in respect of the said Canal, Road, Towing Path, and other Works, and also all the Rights, Capacities, Powers, Authorities, and Duties granted to and vested in the said Commissioners by virtue of the said last-mentioned Act, shall be and the same are hereby respectively declared to be transferred to and vested in the principal Officers of His Majesty's Ordnance for the Time being, to be held, enjoyed, and executed by them and their Successors in Office, in Trust for His Majesty, His Heirs and Successors, for the public Service; and all the Powers, Authorities, Clauses, Matters, and Things in the said last-mentioned Act contained shall extend and be applied to the said principal Officers in as full and ample a Manner to all Intents and Purposes as if they had been named therein instead of the said Commissioners.

The Royal Military Canal, &c. to be vested in the principal Officers of the Ordnance, for the public Service.

Powers of recited Acts 1 & 2 G. 4. c. 69. and 2 W. 4. c. 25. to extend to this Act.

• II. And be it enacted, That all the Powers, Authorities, Provisions, Regulations, Clauses, Matters, and Things in the said Two several Acts of the First and Second Years of the Reign of His late Majesty King George the Fourth and the Second Year of the Reign of His present Majesty respectively contained, in relation

to the Estates and Property thereby or by either of them vested in the principal Officers of His Majesty's Ordnance, shall, so far as the same are or may be applicable thereto and are not inconsistent therewith, extend and be construed to extend to the said Canal, Roads, Paths, and Works, and other the Lands, Hereditaments, and Premises, Rates and Tolls, vested in the said principal Officers by this Act, as fully and effectually to all Intents and Purposes as if such Powers, Authorities, Provisions, Regulations, Clauses, Matters, and Things were respectively, severally, and separately repeated and re-enacted in and made Part of this Act.

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ANNO PRIMO

VICTORIÆ REGINÆ.

C A P. XXI.

An Act to amend the Acts for the Extension and
Promotion of Public Works in *Ireland*.

[30th *June* 1837.]

WHEREAS by an Act passed in the First and Second Years of His present Majesty's Reign, intituled *An Act for the Extension and Promotion of Public Works in Ireland*, the Provisions whereof were amended and extended by an Act passed in the last Session of Parliament, the Commissioners acting under and in execution thereof were authorized to make Advances by way of Loan, to a certain Amount in the said Acts limited, in aid of the Execution of Public Works in *Ireland*, and were also authorized to make Advances for the like Purpose by way of Grant in aid of the Construction of certain Works to an Amount not exceeding in the whole the Sum of Fifty thousand Pounds: And whereas it is expedient, with a view to the further Promotion of Public Works in *Ireland*, and the Employment of the labouring Population, that the said Commissioners should be enabled to make Advances to an additional Amount by way of Grant, and that Provision should be made for making Advances for the Execution

X x

of

The Commis-
sioners of
Public Works
may make
additional
Grants to the
Extent of
50,000*l*.

of Public Works under certain Circumstances partly by way of Loan and partly by way of Grant; that is to say, by Loan to the Extent of one Moiety of such Advances, and by Grant to the Extent of the other Moiety thereof: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall and may be lawful for the said Commissioners, under the like Conditions and Regulations, and for the Purposes of the said Acts and this Act, to make additional Advances by way of Grant to an Amount not exceeding in the whole the Sum of Fifty thousand Pounds, and for the Commissioners of His Majesty's Treasury, or any Three or more of them, to cause to be issued from Time to Time as they may find necessary, out of the growing Produce of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland* arising in *Ireland*, in addition to the said Sum of Fifty thousand Pounds, to which the Issues for the Purposes of the Grants to be made under the said Acts were thereby limited, any further Sum or Sums of Money not exceeding in the whole the said Sum of Fifty thousand Pounds, to be applied to the Purposes of the said Acts and this Act accordingly.

Provisions of
former Acts
shall apply to
Grants under
this Act.

II. And be it enacted, That all and every the Provisoos, Powers, Privileges, Advantages, Forfeitures, and Disabilities contained or expressed in the said recited Acts, in respect of the Grants authorized to be made thereunder, shall be applied and extend to the Grants to be made under Authority of this Act, as fully and effectually to all Intents and Purposes as if the same were herein repeated and enacted.

Applications
for the Exe-
cution of
Public Works
with Money,
partly by way
of Loan and
partly by way
of Grant, may
be made by
Presentment
Sessions.

6 & 7 W. 4.
c. 116.

III. And be it enacted, That if any Three or more Justices of the Peace, not being stipendiary Magistrates, in and for any County, County of a City, or County of a Town in *Ireland*, shall think it expedient to make Application for the Construction of any Public Work, on the Terms and under the Regulations herein-after contained for the Repayment of a Moiety of the Expence of executing such Work, it shall and may be lawful for them, by Notice under their Hands, to be posted on the Places appointed for posting Notices of Applications to Presentment Sessions in the Barony or Half Barony or Place in which such Work is proposed to be executed, to convene a Special Meeting of the Justices and Cess Payers associated with such Justices at the last Special or Presentment Sessions held in such Barony or Half Barony or Place for the Purposes of an Act passed in the last Session of Parliament, intituled *An Act to consolidate and amend the Laws relating to the Presentment of Public Money by Grand Juries in Ireland*; and such Meeting shall be held at the Place appointed for the holding of such Special or Presentment Sessions at such Time as shall be specified in such Notice, not being sooner than Seven Days from the Time of posting such Notice; and the senior Justice present at such Meeting shall preside thereat, and shall have in addition to his
Vote

Vote a casting Voice in case of an Equality of Voices ; and if a Majority of such Justices and Cess Payers assembled at such Special Sessions shall so think fit, the Chairman shall apply by Memorial to the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, on behalf of the Justices and Cess Payers assembled at such Sessions, praying that the Work described in such Memorial may be executed, and that a Sum not exceeding the Amount in such Memorial mentioned may be advanced for that Purpose ; a Moiety thereof to be repaid by Grand Jury Presentment, as herein-after mentioned.

IV. And be it enacted, That upon any such Application by Memorial as aforesaid it shall be lawful for the said Lord Lieutenant or other Chief Governor or Governors, if he or they shall so think fit, to authorize and direct the said Commissioners acting under and in execution of the said Acts to inquire into the Nature of the said proposed Work, and the Utility thereof, and the Benefit which may arise therefrom in affording present Employment for the labouring Population, and the permanent Demand for Labour likely to grow thereout, and the Sum necessary for the Execution thereof ; and it shall be lawful for the said Commissioners, if they shall be so directed or think necessary, to appoint and employ the County Surveyor, or any other competent Surveyor or Surveyors, to make a Survey and Estimate of the said proposed Work, and to prepare such Map, Plan, Section, or Specification thereof as may be necessary, and to report thereon to the said Lord Lieutenant or other Chief Governor or Governors, who shall take the same into his or their Consideration, and, if he or they shall so think fit, transmit the same to the Commissioners of His Majesty's Treasury, for their Sanction and Approval ; and if the said Commissioners of the Treasury shall think fit to authorize the Work specified in the said Application, or any Modification thereof which they may think proper, to be undertaken, they shall, by Warrant under their Hands, or under the Hands of any Three or more of them, direct the said Commissioners acting under and in execution of the said Acts to execute such Work at and for an Amount not exceeding a Sum to be specified in such Warrant, not exceeding the Sum mentioned in the said Application for the Execution of such Work, and shall also in and by such Warrant specify when and how the Moiety of the Money to be expended in the Execution of such Work shall be repaid, and if by Instalments the Periods and Amount thereof, and the Rate of Interest (if any) to be paid on the Amount from Time to Time remaining due : Provided always, that it shall and may be lawful for the said Commissioners of the Treasury, or any Three or more of them, by any like Warrant or Warrants from Time to Time to make void such Directions, and to give other Directions as they may think fit in respect of the Repayment of the said Moiety, or the Rate of Interest chargeable thereon, or any Part thereof at any Time remaining unpaid.

Lord Lieutenant may refer such Applications to the Board of Public Works for their Report, and such Report may be laid before the Lords of the Treasury, who shall have Authority to direct the Execution of the Works so applied for.

• The Board of Works shall proceed with such Works, if sanctioned by the Treasury. V. And be it enacted, That the said Commissioners acting under and in execution of the said Acts shall upon the Receipt of such Warrant forthwith cause the Construction of the Work mentioned therein to be proceeded with, and shall for such Purpose have and use all such Powers and Authorities as they are by the said Acts invested with for the Construction of any Road, Bridge, or other Work for the Construction whereof a Grant shall have been sanctioned by the said Commissioners of the Treasury.

A Moiety of the Money required for the Execution of the Work shall be issued out of the Consolidated Fund. VI. And be it enacted, That one Moiety of the Monies required for the Execution of Works undertaken upon such Applications as herein-before mentioned shall be advanced out of the Produce of the said Consolidated Fund arising in *Ireland*; and the said Commissioners of the Treasury shall cause the same to be issued thereout accordingly from Time to Time as they shall think fit, upon the Application of the said Commissioners acting under and in execution of the said Acts; and the Monies so to be from Time to Time issued for the Purpose last aforesaid shall be accounted to be Part of the Money by the said Acts and this Act authorized to be issued by way of Grant.

The other Moiety shall be supplied out of the Loan Funds by way of Exchequer Bills. VII. And be it enacted, That the other Moiety of the Monies required for the Execution of the said Works shall be supplied by the Issue of Exchequer Bills in like Manner as in the Case of Advances by way of Loan under the said recited Acts: Provided always, that the Amount of the Exchequer Bills so issued shall be deemed and accounted to be a Part of the Sum to which the Issue of Exchequer Bills for the Purposes of the said Acts is thereby limited.

A Moiety of the Money so advanced shall be raised by Grand Jury Presentment off the Barony in which the Work may have been executed, or off the County at large, as the Grand Jury shall determine. VIII. And be it enacted, That a Moiety of the Monies so from Time to Time advanced for the Execution of Public Works in any County, pursuant to the Application of the Justices and Cess Payers assembled at Special Sessions as aforesaid, shall be repaid by Grand Jury Presentment at such Time and in such Manner, and with such Interest, as the said Commissioners of the Treasury shall appoint and direct; and the said Commissioners acting under and in execution of the said Acts shall from Time to Time, as they may be directed by the said Commissioners of the Treasury, certify to the Secretary of the Grand Jury of each such County the Money so to be repaid; and each such Secretary shall lay such Certificate before the Grand Jury of such County at the next Assizes after he shall receive the same; and it shall be lawful for such Grand Jury and they are hereby required to present the Sum mentioned in every such Certificate to be raised either off the County at large or off the Barony or Half Barony or other Division in which the Work to which such Certificate may relate shall have been executed, as they may think fit; and the Treasurer of such County shall pay the Sum so presented, when and as by him received, to such Bank or Person as the said Commissioners of the Treasury shall direct, to be by them carried to the same Account as other Monies received in payment

of Loans under the said Acts: Provided always, that if the Grand Jury of any County shall fail to present the Sum mentioned in any such Certificate, the Treasurer of such County shall and he is hereby required to insert such Sum in his Warrant for raising the Monies presented at the same Assizes, as if such Sum had been presented by such Grand Jury to be raised off the County at large, and the same shall be raised and levied off such County accordingly, as if the same had been so presented; and the said Treasurer shall pay over the Amount, when by him received, as herein-before provided in the Case of such Money being presented.

If Grand Jury shall not present, the Money shall be raised, without any Presentment, off the County at large.

IX. And whereas it has been found that certain Exchequer Bills which by an Act of the last Session of Parliament were made applicable to the Purposes of the said recited Acts, and now in the Custody of the Teller of His Majesty's Exchequer in *Ireland*, are of an inconvenient Date and Amount; be it therefore enacted, That it shall and may be lawful for the said Commissioners of His Majesty's Treasury to cause any Exchequer Bills heretofore made out and applicable to the Purposes of the said recited Acts to be cancelled, and in lieu of the Exchequer Bills so cancelled to cause other Exchequer Bills to be made out for such Sum or Sums of Money not exceeding in the whole the Amount of the Exchequer Bills so cancelled as the said Commissioners of the Treasury shall think fit; and such Exchequer Bills shall be made out according to the Provisions contained in the said first-recited Act in respect of the Exchequer Bills thereby authorized to be made out; and all Exchequer Bills from Time to Time made out under the Authority of the said Acts and of this Act shall be delivered to such Officer as shall be nominated and appointed by the said Commissioners of the Treasury to receive and transmit the said Bills to *Dublin*, to be there applied for the Purposes of the said Acts.

Treasury may cancel certain Exchequer Bills now in existence and applicable to the Purposes of the said Acts, and cause others to be made out in lieu thereof.

X. And whereas an Act was passed in the First Year of the Reign of His present Majesty, intituled *An Act to revive, continue, and amend several Acts relating to the Fisheries*: And whereas the Powers heretofore vested in the Commissioners of the *Irish Fisheries* are now vested in the Commissioners for executing the said first-recited Act for the Extension and Promotion of Public Works in *Ireland*, and it is expedient that any Money which may have been received by the Commissioners of the *Irish Fisheries* or by the Commissioners of Public Works in *Ireland* by virtue of the said recited Act should be applied to any of the Purposes of the said several Acts; be it therefore enacted, That any Monies now in the Hands of the Commissioners of Public Works in *Ireland* which may have arisen under or by virtue of the said last-recited Act relating to the Fisheries shall be applied in defraying the Expences of executing the said Act, and otherwise in carrying the same, and the several Purposes of the said several Acts and of the Acts therein recited into execution, in such Manner as the said Commissioners of the Treasury may from Time to Time direct.

Application of Monies arising under 1 W. 4. c. 54.

This Act may
be altered
this Session.

XI. And be it enacted, That this Act may be altered or repealed by any Act or Acts to be passed in this present Session of Parliament.

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ANNO PRIMO

VICTORIÆ REGINÆ.

C A P. XXII.

An Act to explain and amend Two Acts passed in the last Session of Parliament, for Marriages, and for registering Births, Deaths, and Marriages, in *England*. [30th June 1837.]

WHEREAS by an Act made in the last Session of Parliament, intituled *An Act for Marriages in England*, and by another Act, intituled *An Act for registering Births, Deaths, and Marriages in England*, sundry Provisions were made for the Duties of Superintendent Registrars and also of Registrars and Deputy Registrars of Births, Deaths, and Marriages, which several Provisions require to be further explained and amended: And whereas the recited Acts require Amendment in other respects: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That where in the said Act for Marriages in *England* Provision is made for giving Notice of Marriage to any Registrar, and where in the last-recited Act, or any Schedule thereunto annexed, Mention is made of any such Notice, or of the Registrar's Certificate of any such Notice, the same shall be construed respectively to mean the Notice to be given to the Superintendent Registrar, and the Certificate thereof to be issued by the Superintendent Registrar, according to the Provisions for that Purpose contained in the last-recited Act.

Meaning of the Words Notice to the Registrar and Registrar's Certificate.

Certificate of
Baptismal
Name to be
made by Re-
gistrar or
Superin-
tendent Re-
gistrar, as
the Case
may be.

II. And whereas by the said Act for registering Births, Deaths, and Marriages it is provided, that, in the Case of any Child to which any Name shall be given in Baptism after its Birth shall have been registered under the Provisions of the said Act, a Certificate shall be delivered in manner provided by the said Act, signed by the Minister who shall have performed the Rite of Baptism, and that the Registrar shall certify upon the said Certificate the additional Entry in the Register Book thereupon required by the said Act to be made, and shall forthwith send the said Certificate through the Post Office to the Registrar General; be it enacted, That the Certificate that such additional Entry has been made shall be made and sent as aforesaid by the Registrar or Superintendent Registrar, as the Case may be, to whom the Minister's Certificate shall have been delivered according to the Provisions of the said Act.

Superin-
tendent Re-
gistrars un-
duly issuing
Licences, or
solemnizing
Marriages,
guilty of
Felony.

III. And be it enacted, That every Superintendent Registrar who shall knowingly and wilfully issue any Licence for Marriage after the Expiration of Three Calendar Months after the Notice shall have been entered by the Superintendent Registrar, as provided by the said Act for Marriages, or who shall knowingly and wilfully solemnize or permit to be solemnized in his Office any Marriage in the last-recited Act declared to be null and void, shall be guilty of Felony.

Whereunto
Committals
shall be.

IV. And whereas in that Part of the said Act for registering Births, Deaths, and Marriages in *England* which provides for the Recovery of Penalties the Word "Offender" has been once inserted by Mistake instead of the Word "Offence"; be it enacted, That in all Cases in which any Justices are by the last-recited Act authorized to imprison any Offender against the last-recited Act, the Place of Imprisonment shall be the Common Gaol or House of Correction for the County, City, or Place where the Offence shall be committed.

Registrar
General's
Certificate
of frivolous
Caveat to be
Evidence.

V. And be it enacted, That for the Purpose of enabling any Person to recover Costs and Damages in any Action, as provided by the said Act for Marriages, from any Person who shall have entered a Caveat on frivolous Grounds with the Superintendent Registrar, a Copy of the Declaration of the Registrar General purporting to be sealed with the Seal of the General Register Office shall be Evidence that the Registrar General has declared such Caveat to have been entered on frivolous Grounds, and that they ought not to obstruct the Grant of the Licence or Issue of the Certificate, as the Case may be; and such Declaration shall have the Effect of the Declaration required in such Case by the said Act for Marriages.

Commence-
ment of
Marine Re-
gister Book.

VI. And whereas it hath been doubted, under the Provisions of the said Act for registering Births, Deaths, and Marriages in *England*, when the Registration of the Births and Deaths of Persons born and dying at Sea ought to begin; be it enacted, That the Marine Register Books shall begin with the Birth and Death respectively which shall happen of Persons born or dying at Sea

after the last Day of *June* One thousand eight hundred and thirty-seven, and of which a Certificate shall be first sent to the Registrar General according to the Provisions of the last-recited Act, and shall not contain any Registry of the Birth or Death of any Person born or dying at Sea before the First Day of *July* One thousand eight hundred and thirty-seven.

VII. And be it enacted, That the Registrar General may receive and send by the General Post from and to all Ports and Places in the United Kingdom of *Great Britain* and *Ireland* all Letters and Packets relating exclusively to the Execution of the said Acts for Marriages, and for registering Births, Deaths, and Marriages, or of this Act, free from the Duty of Postage, subject to the Provisions and Conditions of the said Act for registering Births, Deaths, and Marriages, with respect to Letters and Packets so received or sent by him from and to Places in *England*.

Privilege of
Franking
extended to
the United
Kingdom.

VIII. And be it enacted, That it shall be lawful for the Registrar General, if he shall think fit, to direct that the Place of Birth or Death of any Person whose Birth or Death shall be registered under the said Act for registering Births, Deaths, and Marriages, shall be added to the Entry in such Manner as the Registrar General shall direct; and such Addition, when so made, shall be taken to all Intents to be Part of the Entry in the Register.

Place of Birth
or Death may
be inserted in
the Register.

IX. And be it enacted, That it shall be lawful for the Registrar General, with the Consent of the Poor Law Commissioners, to direct that any Place lying wholly within but not being Part of any Union, Parish, or Place for which a Board of Guardians shall have been established under the Provisions of an Act passed in the Fourth and Fifth Years of His late Majesty King *William* the Fourth, intituled *An Act for the Amendment and better Administration of the Laws relating to the Poor in England and Wales*, shall be Part of any One or more Registrars Districts within such Union, Parish, or Place, and within the Superintendence of the Superintendent Registrar thereof, or if not lying wholly within any One such Union, Parish, or Place as last aforesaid, then to be for those Purposes annexed to such Union, Parish, or Place as last aforesaid, as the Registrar General, with the Consent of the Poor Law Commissioners, shall direct.

Provision for
including
Extra-paro-
chial Places
in Registrar
Districts.

4 & 5 W. 4.
c. 76.

X. And be it enacted, That it shall be lawful for the Registrar General, if he shall see fit, with the Approval of One of Her Majesty's Principal Secretaries of State, to unite any Two or more Unions, Parishes, or Places for which a Board of Guardians shall have been established under the Act last aforesaid, or any Two or more Superintendent Registrars Districts into One Superintendent Registrar's District; and in every such Case of Union the Registrar General shall declare by which Board of Guardians the Superintendent Registrar shall thenceforward be appointed; and the Superintendent Registrar of the Union, Parish, or Place for which such Board is established shall from the Time of such Union be the sole Superintendent Registrar of such united District; and every Provision of the said Acts for Marriages, and for registering Births, Deaths,

Registrar
General may
unite Dis-
tricts.

Deaths, and Marriages, relating to Superintendent Registrars, and to the Districts under their Superintendence, and to Boards of Guardians within such Districts, shall apply to every such Superintendent Registrar, and to every such District, and to the Board of Guardians so selected and declared; and all Register Boxes, Keys, Books, Documents, and Papers in the Possession of any Superintendent Registrar who shall cease to be such under the Provisions of this Act shall be delivered to the Superintendent Registrar of the united District, and may be recovered in the Manner provided by the last-recited Acts, and shall be removed from the Office of the Person ceasing to be Superintendent Registrar to the Office of the Superintendent Registrar of the united District; and the Office of every Superintendent Registrar ceasing to be such under the Provisions of this Act shall from the Time of such Union as last aforesaid cease to be a Register Office within the Meaning of the said last-recited Acts, and it shall be lawful for the Commissioners of Her Majesty's Treasury, or any Three of them, to cause to be repaid out of the Consolidated Fund such Sum as the Board of Guardians shall have legally paid or for which they may have lawfully become liable as such Guardians, for the sole Purpose of providing a Register Office; and in every Case in which such Union as last aforesaid shall be intended to take place the Registrar General shall give public Notice thereof, and of the Time when the same shall take effect, by Advertisement in the *London Gazette*, and in some Newspaper circulating within the County; and every such Union shall take effect from the Day named in such Advertisement in the *London Gazette*.

Registrar
General may
divide Unions
or Districts.

XI. And be it enacted, That it shall be lawful for the Registrar General, if he shall see fit, with the Approval of One of Her Majesty's Principal Secretaries of State, to divide any Union, Parish, or Place, or any Superintendent Registrar's District, into Two or more Superintendent Registrars' Districts, and Notice of every such Division shall be published in the *London Gazette*; and in every such Case the Guardians shall appoint a sufficient Number of Persons, with such Qualifications as the Registrar General may by any general Rule declare to be necessary, to be Superintendent Registrars of the new Districts, and shall also appoint the District for which the Clerk to the Guardians, or other Person who may have been theretofore appointed as Superintendent Registrar of the whole Union, Parish, or Place, shall continue to be Superintendent Registrar; and every Provision of the said recited Acts for Marriages, and for registering Births, Deaths, and Marriages, relating to Superintendent Registrars, and the Districts under their Superintendence, shall apply to every Superintendent Registrar so appointed, and to the District for which he shall be so appointed.

As to Locality
of Superin-
tendent
Registrar's
Office.

XII. And be it enacted, That the Superintendent Registrar's Office shall be taken, for the Purposes of the said Act for Marriages, and for registering Births, Deaths, and Marriages, and of this Act, to be within the District of which it is the Register Office, although not locally situated therein.

XIII. And

XIII. And be it enacted, That in case any such Board of Guardians of any Union, Parish, or Place as aforesaid shall not have divided such Union, Parish, or Place into Registrars Districts, with the Approval of the Registrar General, before the First Day of *July* now next ensuing in case the said Board was established before the First Day of *March* now last past, or within Three Calendar Months next after their Establishment in case the said Board shall have been established on or after the said First Day of *March*, the Poor Law Commissioners for *England* and *Wales* shall divide such Union, Parish, or Place into Registrars Districts, and shall appoint a Registrar to each of such Districts, qualified according to the Provisions of the said Act for registering Births, Deaths, and Marriages; and every Registrar so appointed shall hold his Office during the Pleasure of the Registrar General.

If Guardians neglect to form Registrar's Districts, Poor Law Commissioners shall form them and appoint Registrars thereto.

XIV. And be it enacted, That in every Case in which the Clerk to any such Board of Guardians shall not think fit or shall be disqualified to accept the Office of Superintendent Registrar, and the Guardians shall refuse or neglect during Fourteen Days after being required so to do by the Registrar General to appoint a Superintendent Registrar properly qualified, and in every Case of Vacancy of the Office of Registrar or Superintendent Registrar in any such Union, Parish, or Place in which the Guardians shall refuse or neglect during Fourteen Days after such Vacancy to appoint a Registrar or Superintendent Registrar properly qualified, the Appointment shall lapse to the Registrar General.

If Guardians neglect to appoint Registrars or Superintendent Registrars the Registrar General to appoint them.

XV. And be it enacted, That the Registrar General shall have Power, subject to the Approval of the Commissioners of the Treasury, to appoint by Writing under his Hand a fit Person to act as his Assistant in the Case of the Illness of the Registrar General; and every such Assistant, while so acting, shall have all the Powers and Duties and be subject to all the Provisions and Penalties declared by the said Acts for Marriages, and for registering Births, Deaths, and Marriages, in *England*, and by this Act, or any of them; except that such Assistant shall not have Power to make or declare any general Rule, or to rescind or alter any Order, Regulation, or Approval signified and made by the Registrar General in Writing under his Hand, or to dismiss any Person from any Office holden during the Pleasure of the Registrar General.

Registrar General may appoint an Assistant to act for him in certain Cases.

XVI. And be it enacted, That every Superintendent Registrar shall have the Power, subject to the Approval of the Registrar General, to appoint by Writing under his Hand a fit Person to act as his Deputy in case of the Illness or Absence of such Superintendent Registrar; and every such Deputy Superintendent Registrar, whilst so acting, shall have all the Powers and Duties and be subject to all the Provisions and Penalties declared by the said Acts for Marriages, and for registering Births, Deaths, and Marriages, in *England*, and by this Act, concerning Superintendent Registrars; and in case of the Death of the Superintendent Registrar shall act as Superintendent Registrar until another be appointed; and every

Superintendent Registrar may appoint a Deputy to act for him in certain Cases.

Superintendent Registrar shall be civilly responsible for the Acts and Omissions of his Deputy.

If more than One Clerk to a Board of Guardians, which of them to be Superintendent Registrar.

XVII. And be it enacted, That whenever there are Two or more Clerks to the Guardians of any Union, Parish, or Place, established under the Provisions of the said Act for amending the Laws relating to the Poor, One only of whom shall possess such Qualifications as the Registrar General by any general Rule hath declared or shall declare to be necessary, or One only of whom shall think fit to accept the Office of Superintendent Registrar of such Union, Parish, or Place, such One shall be the Superintendent Registrar of such Union, Parish, or Place; and if Two or more of such Clerks shall possess such Qualifications as aforesaid, and be willing to accept such Office, then such Guardians shall elect and choose One of such Clerks (possessing such Qualifications as aforesaid) to be the Superintendent Registrar of such Union, Parish, or Place; and that no other Person shall be or be elected or appointed to be Superintendent Registrar of any such Union, Parish, or Place, unless all the Clerks to the Board of Guardians (possessing such Qualifications as aforesaid) shall not think fit to accept such Office.

Exemption of Registrars from Parochial and Corporate Offices.

XVIII. And be it enacted, That every Registrar of Births and Deaths and every Registrar of Marriages appointed under the Provisions of the said Acts or either of them shall be freed and exempted from being returned and from serving on any Jury or Inquest, and from every Parochial and Corporate Office whatever.

Guardians may borrow Money for providing Register Offices.

XIX. And be it enacted, That for better enabling fit Register Offices to be provided it shall be lawful for any such Board of Guardians to borrow Money for that Purpose, and to charge the Amount of the Sum borrowed on the future Poor Rates of the Parish, Union, or Place of which they are the Guardians, in the Manner provided by the said Act for amending the Laws relating to the Poor with respect to Monies borrowed for building Workhouses for the Relief of the Poor; save only that the yearly Instalments by which any Money borrowed as aforesaid shall be repaid shall not be less than One Twentieth of the Sum borrowed, with Interest on the same, and need not be more in any One Year.

If Guardians neglect to provide a Register Office, Commissioners of Treasury may direct it to be provided.

XX. And be it enacted, That in any Case in which any such Board of Guardians shall neglect or refuse to provide and uphold a Register Office according to the Provisions of the said Act for registering Births, Deaths, and Marriages, it shall be lawful for the Commissioners of the Treasury, or any Three of them, on the Application of the Registrar General, to give Directions for providing and upholding the same, and to expend a Sum not exceeding Three hundred Pounds in providing the same, and also all Sums needful for the Repair and Maintenance thereof from Time to Time, in case the Guardians shall continue to refuse or neglect to repair and uphold the same; and it shall be lawful for the said Commissioners, or any Three of them, to make an Order from Time to Time on such Guardians for the Repayment, out of the Monies coming to their Hands

Hands as such Guardians; of all Sums so to be from Time to Time expended, and such Order shall be binding upon the said Guardians, and the Guardians shall also be bound to pay out of the Monies coming to their Hands as such Guardians all Costs and Expences incurred by or under the Direction of the said Commissioners in making and enforcing such Order.

XXI. And be it enacted, That until a Register Office shall be provided in any Superintendent Registrar's District the Superintendent Registrar shall appropriate some fit Room or Rooms to be approved by the Registrar General, as the Superintendent Registrar's Office of that District. Substitute for Register Office until the same is provided.

XXII. And be it enacted, That the Registrar General shall be authorized to fix from Time to Time the Number of Registrars of Marriage to be appointed by any Superintendent Registrar; and no Superintendent Registrar shall have Power to appoint more than the Number so fixed for him to appoint. Registrar General to limit the Number of Registrars of Marriage.

XXIII. And be it enacted, That the Registrar General, under the Direction of One of Her Majesty's Principal Secretaries of State, shall take Order that the solemn Declaration and Form of Words provided to be used in the Case of Marriages under the said Act for Marriages be truly and exactly translated into the *Welsh* Tongue, and shall cause the same so translated to be furnished to every Registrar of Marriages throughout *Wales*, and in all Places where the *Welsh* Tongue is commonly used; and it shall be lawful to use the Declaration and Form of Words so translated, and published by Authority, in all Places where the *Welsh* Tongue is commonly used or preferred, in such Manner and Form and to the same Intents and Purposes as by the said Act is prescribed in the *English* Tongue. Provision for Marriages in the Welsh Tongue.

XXIV. And whereas by the said Act for Marriages in *England* Provision is made for the Transmission of Notices of Marriage to the Clerk to the Guardians of the Poor Law Union, or of the Parish or Place comprising the District of a Superintendent Registrar, and for the reading of the same at certain Meetings of such Guardians: And whereas it may happen in certain Superintendent Registrar's Districts that there may be no such Guardians; be it therefore enacted, That in every such Case, but only until the Election of such Board of Guardians and of a Clerk to their Board, every Notice of Marriage given according to the Provisions of the said Act for Marriages, or a true and exact Copy thereof, under the Hand of the Superintendent Registrar, shall be suspended in some conspicuous Place in the Office of the Superintendent Registrar during Seven successive Days, if the Marriage is to be solemnized by Licence, or Twenty-one successive Days if the Marriage is to be solemnized without Licence, before any Marriage shall be solemnized in pursuance of such Notice; and the Particulars of every such Notice shall be sent by the Superintendent Registrar to every Registrar of Marriages within his District, and shall be open to the Inspection of every Notices of Marriage to be suspended in the Superintendent Registrar's Office, instead of being read at the Meetings of Guardians, and Particulars of the same sent to the Registrar.

every one who shall apply at reasonable Times to such Registrar to inspect the same.

Cost of Pa-
rochial Mar-
riage Regis-
ter Books
and Forms,
how to be
defrayed.

XXV. And whereas by the said Act for registering Births, Deaths, and Marriages it is provided that the Cost of all Marriage Register Books and Forms for certified Copies thereof, furnished to the Rector, Vicar, or Curate of every Church and Chapel in *England* wherein Marriages may lawfully be solemnized, shall be paid by the Churchwardens and Overseers of the Parish or Chapelry out of the Monies in their Hands as such Churchwardens or Overseers, and that the Cost of Register Books of Births and of Register Books of Deaths, and of Forms for certified Copies thereof, shall be paid by the Guardians or by the Churchwardens and Overseers (as the Case may be) out of the Monies coming to their Hands or Control as such Guardians or Churchwardens and Overseers; be it enacted, for removing Doubt as to the Fund chargeable therewith, That the Cost of all such Books and Forms shall be borne by the Union, Parish, or Place in and for which the Superintendent Registrar is appointed who superintends the Registrar for whose Use such Books were provided, or to whom such Rector, Vicar, or Curate is by the said Act directed to deliver One Copy of such Register; and such Cost shall be paid to the said Superintendent Registrar by the Guardians or by the Churchwardens and Overseers, as the Case shall be, out of the Monies coming into their Hands as such Guardians or such Churchwardens and Overseers for the Relief of the Poor.

Certified
Copies of
Register
Books to be
made up
quarterly.
7 W. 4. c. 1.

XXVI. And be it enacted, That the certified Copies of the Entries of Births, Deaths, and Marriages required by the said Acts for Marriages, and for registering Births, Deaths, and Marriages, or by an Act passed in this Session of Parliament, intituled *An Act to suspend for a limited Time the Operation of Two Acts passed in the last Session of Parliament, for registering Births, Deaths, and Marriages in England, and for Marriages in England*, to be made and delivered to the Superintendent Registrar, and also the Certificates to be made and delivered to the Superintendent Registrar that there has been no Birth, Death, or Marriage registered since the Delivery of the last Certificate, shall in every Case be made up and refer respectively to the last Days of *March, June, September, and December* then next preceding, and not to the Time of the making or Delivery of such certified Copy or Certificate when made on any subsequent Day.

Clergyman to
be paid for
making Re-
gister in
Duplicate.

XXVII. And whereas it is required by the said Act for registering Births, Deaths, and Marriages, that every Rector, Vicar, and Curate shall register in Duplicate the Particulars of every Marriage solemnized by him, One of which Registers he is also required to deliver when filled to the Superintendent Registrar of the District in which such Church or Chapel may be situated, and also Four Times in every Year to deliver to the said Superintendent Registrar a true Copy, certified by him under his Hand, of all the Entries of Marriages in the Register Book kept by him since the last Certificate; be it enacted, That the said Superintendent Registrar shall

pay or cause to be paid to the said Rector, Vicar, or Curate the Sum of Sixpence for every Entry contained in such certified Copy, which Sum shall be reimbursed to the said Superintendent Registrar by the Guardians or Overseers of the Union, Parish, or Place for which he shall be appointed Superintendent Registrar as aforesaid, in like Manner as by the said Act is provided for the Payment of the Registrar on Production of his Accounts to the Superintendent Registrar.

XXVIII. And be it enacted, That every Person who under the Provisions of the said Acts for Marriages, and for registering Births, Deaths, and Marriages, or either of them, as amended by this Act, is required to make and deliver to any Superintendent Registrar a certified Copy of the Entries of any Births, Deaths, or Marriages registered by him, or the Certificate required by the said Acts as amended by this Act that there have been no Entries since the last Certificate, and who after being duly required to deliver such certified Copy or such Certificate as aforesaid shall refuse or during One Calendar Month neglect so to do, shall be liable for every such Offence to forfeit a Sum not exceeding Ten Pounds, to be recovered as other Penalties for Offences against the said Acts are made recoverable: Provided always, that in such Case a Moiety of the Penalty shall not go to the Informer, but the whole shall go to the Registrar General, or such other Person as the Commissioners of the Treasury shall appoint, for the Use of Her Majesty.

Penalty for neglecting to send certified Copies of Register Books.

XXIX. And be it enacted, That in every Case in which any Rector, Vicar, or Curate is required by either of the said Acts for Marriages, and for registering Births, Deaths, and Marriages, or by this Act, to give or deliver any Notice, Certificate, or certified Copy to any Superintendent Registrar, it shall be sufficient for such Rector, Vicar, or Curate to give or deliver the same to some Registrar under the Superintendence of such Superintendent Registrar; and every Registrar on receiving any such Notice, Certificate, or certified Copy shall give or deliver the same to the Superintendent Registrar; and each Superintendent Registrar shall direct the Registrars of Births and Deaths under his Superintendence quarterly or oftener if he shall think fit or shall be so ordered to do by the Registrar General to collect the Notices, Certificates, and certified Copies from every Rector, Vicar, and Curate within his District.

Certificates, &c. required to be given to any Superintendent Registrar may be given to any Registrar, who is to forward the same, &c.

XXX. And for removing of all Doubt with regard to the Administration of Oaths, be it enacted, That every Person before whom by the said Acts or either of them an Oath is directed to be taken is hereby authorized to administer the same.

Authority for administering Oaths.

XXXI. And be it enacted, That the Prosecution for every Offence punishable upon summary Conviction by virtue of the said Acts or this Act shall be commenced within Three Months after the Commission of such Offence.

Limitation as to summary Convictions.

XXXII. And be it enacted, That no Stamp Duty shall be required nor shall any Duty be chargeable on any Licence under the Hand and

Stamp Duty not payable on licensing Chapels for Marriages.

and Seal of any Bishop, or any other Instrument necessary for authorizing the Solemnization of Marriages in any Chapel according to the Provisions of the said Act for Marriages.

Banns may be published in Chapels where Marriages may be solemnized.

XXXIII. And be it enacted, That the Banns of Marriage of any Persons may be published in any Chapel licensed by the Bishop, according to the Provisions of the said Act for Marriages, for the Solemnization of Marriages, in which those Persons might lawfully be married; and instead of the Notice required by the said Act the Words "Banns may be published and Marriages may be solemnized in this Chapel" shall be placed in some conspicuous Part in the Interior of every such Chapel.

Marriages may be in licensed Chapels, though only One of the Parties is resident in the District.

Publication of Banns where the Parties reside in different Districts.

XXXIV. And whereas Doubts may arise whether under the said recited Acts it is lawful for the Bishop to license Chapels for Marriages between Parties One only of whom resides within the District specified in such Licence; be it therefore enacted and declared, That all such Licences shall be construed to extend to and authorize Marriages in such Chapels between Parties One or both of whom is or are resident within the said District: Provided always, that where the Parties to any Marriage intended to be solemnized after Publication of Banns shall reside within different Ecclesiastical Districts the Banns for such Marriage shall be published as well in the Church or Chapel wherein such Marriage is intended to be solemnized as in the Chapel licensed under the Provisions of the said recited Act for the other District within which One of the Parties is resident, and if there be no such Chapel then in the Church or Chapel in which the Banns of such last-mentioned Party might be legally published if the said recited Act had not been passed.

Any Building used exclusively as a Roman Catholic Chapel for One Year may be registered for Celebration of Marriages.

XXXV. And whereas certain Provisions are made in the Act intituled *An Act for Marriages in England*, relating to the Celebration of Marriages in separate Buildings; be it enacted, That any Building which shall have been licensed and used during One Year next before Registration for Public Religious Worship as a Roman Catholic Chapel exclusively shall be taken to be a separate Building for the Purpose of being registered for the Celebration of Marriages, notwithstanding the same shall be under the same Roof with any other Building, or shall form a Part only of a Building.

Notice to Superintendent Registrar, and Issue of Certificate by him, to be used and stand instead of Banns.

XXXVI. And whereas it is enacted in the said recited Act for Marriages in *England*, that where by any Law or Canon in force before the passing of the said Act it is provided that any Marriage may be solemnized after Publication of Banns, such Marriage may be solemnized in like Manner on Production of the Registrar's Certificate as therein-after provided; be it enacted, That the giving of Notice to the Superintendent Registrar, and the Issue of the Superintendent Registrar's Certificate, as in the said Act and by this Act provided, shall be used and stand instead of the Publication of Banns to all Intents and Purposes where no such Publication shall have taken place; and every Parson, Vicar, Minister, or Curate in *England* shall solemnize Marriage after such Notice and Certificate as afore-said

said in like Manner as after due Publication of Banns: Provided always, that the Church wherein any Marriage according to the Rites of the Church of *England* shall so be solemnized shall be within the District of the Superintendent Registrar by whom such Certificate as aforesaid shall have been issued.

LONDON: Printed by GEORGE EYRE and ANDREW SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1837.



ANNO PRIMO

VICTORIÆ REGINÆ.

C A P. XXIII.

An Act to abolish the Punishment of the Pillory.
[30th *June* 1837.]

WHEREAS it is expedient to abolish the Punishment of the Pillory; be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act Judgment shall not be given and awarded against any Person or Persons convicted of any Offence that such Person or Persons do stand in or upon the Pillory; any Law, Statute, or Usage to the contrary notwithstanding: Provided that nothing herein contained shall extend or be construed to extend in any Manner to change, alter, or affect any Punishment whatsoever which may now be by Law inflicted in respect of any Offence, except only the Punishment of Pillory.

Punishment
of the Pillory
abolished.

Proviso.

LONDON: Printed by GEORGE EYRE and ANDREW SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1837.



ANNO PRIMO

VICTORIÆ REGINÆ.

C A P. XXIV.

An Act to explain and amend an Act of the Seventh Year of His Majesty King *George* the Fourth, to provide for improving and rebuilding Shire Halls, County Halls, and other Buildings for holding the Assizes and Grand Sessions, and also Judges Lodgings, throughout *England* and *Wales*.
[30th June 1837.]

WHEREAS by an Act passed in the Seventh Year of the Reign of His Majesty King *George* the Fourth, intituled *An Act to provide for improving and rebuilding Shire Halls, County Halls, and other Buildings for holding the Assizes and Grand Sessions, and also Judges Lodgings, throughout England and Wales*, it is amongst other things enacted, that whenever it shall appear to the Justices at any General or Quarter Sessions of the Peace to be holden in any County, Riding, or Division in *England* or *Wales*, by any Presentment to be made by the Grand Jury at any Assizes or Session of Gaol Delivery or Session of the Peace to be holden for any such County, Riding, or Division, or by any Presentment to be at any Time made by any Two or more Justices of the Peace in and for such County, Riding, or Division, and laid before the Justices at any such General or Quarter Sessions of the Peace, that any Shire Hall, County Hall, or other Building accustomedly made use of for holding the Assizes

7 G. 4. c. 63.

or Sessions of the Peace shall be insufficient, inconvenient, deficient, or in want of Repair or Improvement, or that there is a Necessity for the Erection of a new Shire Hall, County Hall, or other Building, it shall be lawful for the Justices assembled at the General or Quarter Sessions at which such Presentment shall be laid before such Justices in manner therein mentioned to take such Measures, either by Contract or otherwise, as shall appear to them to be requisite and proper for the altering, enlarging, repairing, or improving of any Shire Hall, County Hall, or other Building as aforesaid, or for the pulling down of any such Shire Hall, County Hall, or other Building, or any Part thereof, and for the building of any new Shire Hall, County Hall, or other Building, or any Part thereof, in lieu of any Building or any Part of any Building which shall be so pulled down: And whereas the Assizes and Sessions of the Peace for divers Counties, Ridings, and Divisions have been usually holden in the Town Hall of some City or Town, or in some Building, belonging jointly to such County, Riding, or Division, and to the City or Town wherein the same is situate, and not in any Shire Hall, County Hall, or other Building belonging exclusively to such County, Riding, or Division; and Doubts have been entertained whether under the Provisions of the said Act the Justices have Power under any such Presentment as aforesaid to take Measures for the building, altering, or repairing of any Shire Hall or County Hall, or Building used or to be used partly as a Shire Hall and partly as a Town Hall, in those Cases in which such Assizes or Sessions have heretofore been usually holden in some Town Hall or other Building not being a Shire Hall or County Hall or other Building belonging exclusively to such County, Riding, or Division, and it is expedient that such Doubts should be removed: And whereas by an Act passed in the Fourth Year of His late Majesty King *William the Fourth's*

4 W. 4. c. 71. Reign, intituled *An Act for the Appointment of convenient Places for the holding of Assizes in England and Wales*, it is amongst other things enacted, that His Majesty, by and with the Advice of His Most Honourable Privy Council, shall have Power from Time to Time to order and direct at what Place or Places in any County of *England* or *Wales* the Assizes or Sessions under the Commissions of Gaol Delivery and other Commissions for the Despatch of Criminal and Civil Business shall be holden, and to order and direct such Assizes and Sessions for the Despatch of Criminal and Civil Business to be holden at more than One Place in the same County on the same Circuit; and it is expedient that the Provisions contained in the said Act of the Seventh Year of the Reign of His Majesty King *George the Fourth* should be extended to Cases where it may be necessary to provide Shire Halls for holding Assizes in Places at which the same may be holden under the Provisions of the said Act of the Fourth Year of the Reign of His said late Majesty: And whereas it is also expedient that the Justices of the Peace of Counties, Ridings, or Divisions in *England* and *Wales* should be empowered to enter into Contracts with the Owners of Town Halls or other Buildings, for the Use and Occupation of such Town Halls or other Buildings, or Part thereof, for the holding of Assizes and Sessions therein, and for other County Business, and for the Repair, Alteration, or Improvement

provement of such Town Halls or other Buildings: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That all and singular the Powers, Authorities, and Provisions in the said Act of the Seventh Year of the Reign of His Majesty King *George* the Fourth contained relative to the building, altering, and repairing of any Shire Hall or County Hall, in lieu of any former Shire Hall or County Hall pulled down under the Provisions of the said Act, and to the purchasing any Houses, Lands, Tenements, or Hereditaments for that Purpose, and to defraying the Expences of any such Building, and to raising Money for that Purpose, shall be deemed and taken to apply to and authorize the building, altering, and repairing of any Shire Hall or County Hall, or Building used or to be used partly as a Shire Hall and partly as a Town Hall, in those Cases in which such Assizes or Sessions as aforesaid have usually been holden in some Town Hall or other Building not belonging exclusively to such County, Riding, or Division, and whether such Town Hall or other Building shall or shall not be pulled down, and the purchasing any Houses, Lands, Tenements, or Hereditaments for that Purpose, and the defraying the Expences of any such Building, and the raising Money for that Purpose, in the same Way as if such Shire Hall, County Hall, or Building used or to be used partly as a Shire Hall and partly as a Town Hall had been built in lieu of some Shire Hall or County Hall pulled down under the Provisions of the said last-mentioned Act.

Powers of 7 G. 4. c. 63. to extend to Cases of building or repairing new Shire Halls or County Halls, or Buildings used partly as Shire Halls and partly as Town Halls, in certain Cases.

II. And be it enacted, That in all Cases in which by virtue of any Order in Council, made or to be made under the Authority of the said Act of the Fourth Year of the Reign of His said late Majesty, the Assizes for any County, Riding, or Division have been or shall hereafter be directed to be holden in any City, Town, or Place in which the same have not usually been holden, either in addition to or in substitution for the Place at which the same have usually been holden for such County, Riding, or Division, the Provisions contained in the said Act of the Seventh Year of the Reign of His Majesty King *George* the Fourth shall be deemed and taken to authorize and empower the Justices in Sessions assembled to take all necessary Measures, by Contract or otherwise, for purchasing in such City, Town, or Place at which such Assizes shall have been or may hereafter be directed to be holden any Building to be converted into or used as a new Shire Hall or County Hall, or for purchasing in such City, Town, or Place any Ground, and erecting thereon any new Shire Hall or County Hall, and for repairing and altering from Time to Time any such Shire Hall, County Hall, or Building, in the same Manner and subject to the same Restrictions and Regulations, and with the same Powers and Authorities, as in the said last-mentioned Act are contained with reference to the County Halls or Shire Halls therein mentioned: Provided always, that nothing herein or in the said recited Act contained shall be deemed or taken to restrict the said Justices from purchasing any such Shire Hall or County Hall,

Where Place for holding Assize is changed, the Justices empowered to take Measures for providing the Accommodation necessary.

or causing the same to be built in any Place which to them may seem most convenient. •

Clerks of the Peace, by Order of Justices in Sessions, for Counties may contract for Use of Buildings for holding Assizes and Sessions.

III. And be it further enacted, That it shall be lawful for the Clerk of the Peace for the Time being of any County, Riding, or Division, by Order of the Justices of the Peace of such County, Riding, or Division in General or Quarter Sessions assembled, by Writing under his Hand to contract, on behalf of such County, Riding, or Division, with any Person or Persons, Bodies Politic, Corporate, or Collegiate, being the Owner or Owners of any Town Hall or other Building, for the Use and Occupation of such Town Hall or other Building, or any Part or Portion thereof, for holding the Assizes and Sessions of such County, Riding, or Division therein, and for other public Purposes of such County, Riding, or Division, upon such Terms, and subject to such annual Rent, and to such Conditions as to the Repairs, Alterations, or Improvements of such Halls or other Buildings, or any Part or Portion thereof, and for furnishing the same with necessary and convenient Furniture, Matters, and Things, or otherwise, as may be agreed upon between such Clerk of the Peace, on behalf of such County, Riding, or Division, and such Owner or Owners as aforesaid; and all such Contracts shall be binding and conclusive upon the several Parties thereto for such Period of Time as shall be specified therein; and such annual Rent, and the Costs and Charges of such Alterations, Repairs, Improvements, and Furniture, or so much thereof as shall by such Contract be agreed to be paid by the said County, Riding, or Division, shall be defrayed out of the general Rates of such County, Riding, or Division, in like Manner as the other general Expences of such County, Riding, or Division are by Law now directed to be paid: Provided always, that no such Order of Sessions shall be made unless due Notice of the Intention to propose the same shall have been given in some Newspaper usually circulated in such County, Riding, or Division, Twice at least in each of the last Three Months previously to the holding of the Sessions at which such Order shall be made: Provided also, that no Clerk of the Peace shall be personally liable by virtue of any such Contract.

Previous Notice to be given of such Order.

All Matters transacted in Shire Halls provided under this Act declared valid.

IV. And be it enacted, That all Matters and Things to be done and transacted in any Shire Hall, County Hall, or other Building to be purchased, built, or hired under the Powers of this Act, shall be as good, valid, and effectual to all Intents and Purposes as if the same had been done and transacted in any Shire Hall built under the Powers of the said Act of the Seventh Year of the Reign of His late Majesty King George the Fourth.

Act may be altered this Session.

V. And be it enacted, That this Act may be altered or repealed by any other Act in this present Session of Parliament.



ANNO PRIMO

VICTORIÆ REGINÆ.

C A P. XXV.

An Act to make more effectual Provisions relating to
the Police in the District of *Dublin* Metropolis.

[3d *July* 1837.]

WHEREAS an Act was passed in the last Session of Parliament, intituled *An Act for improving the Police in the District of Dublin Metropolis*, whereby Provision was made for establishing a new and more efficient System of Police within the Limits of the Police District of *Dublin* Metropolis: And whereas it is expedient to alter the Limits of the said Police District, and to make further Provision for the more effectual Maintenance and Regulation of the said Police: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That Her Majesty's Castle of *Dublin*, and all Places situate and contained within the Limits or Boundary specified and described in the Schédule to this Act annexed, shall, from and after the Day to be appointed and notified, as in the said Act mentioned, for the new Police to take charge of the said District, be constituted for the Purposes of this Act and of the said recited Act of the last Session of Parliament, and the several other Acts establishing and regulating the Police of *Dublin* Metropolis, into One District, to be called "The Police District of *Dublin* Metropolis," instead and in the Place of the Police District of the said Metropolis as the same was constituted and defined in and by an Act made in the Forty-eighth Year of the Reign of His Majesty King *George* the Third, intituled *An Act for the more effectual Administration of the Office of a Justice of the Peace, and for the more effectual Prevention of Felonies, within the District of Dublin Metropolis*; and that all Parts of the County of *Dublin*

6 & 7 W. 4.
c. 29.

Police District of *Dublin* Metropolis defined.

48 G. 3. c. 140.

6 & 7 W. 4.
c. 13.

Dublin not comprised within the said District, as the same is by this Act limited and defined, shall be deemed to be the County of *Dublin* for the Purposes of and within the Intent and Meaning of an Act of the last Session of Parliament, intituled *An Act to consolidate the Laws relating to the Constabulary Force in Ireland*.

The Lord Lieutenant and Council may direct any Parishes within certain Limits to be added to the District; and such Parishes when so added shall become Part of such District.

II. And whereas it may hereafter become expedient that the Provisions of this Act should be extended to other Places in addition to the Places comprised within the Limits or Boundary described in the Schedule to this Act annexed; be it therefore enacted, That it shall be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being from Time to Time, by the Advice of Her Majesty's Privy Council for *Ireland*, to order that any Parish or Place in the County of *Dublin* or County of the City of *Dublin*, of which Parish or Place any Part shall be situate within the Limits or Boundary described in the said Schedule, shall, after a certain Day to be named in such Order, be added to and form Part of the said Police District, and thereupon and by force of such Order such Parish or Place shall be and become to all Intents and Purposes Part of such Police District, as if the same had been originally included therein by virtue of this Act.

Misnomers not to affect the Execution of the Act.

III. And be it enacted, That no Misnomer or inaccurate Description in the Schedule to this Act annexed, or in any Order in Council to be made as aforesaid, shall prevent or in anywise affect the Operation thereof, but that this Act and every such Order shall apply and be enforced as fully and effectually to all Intents and Purposes as if the Subject of such Misnomer or Misdescription had been correctly named and described in such Schedule or Order in Council, provided the same be designated to common Intent and Understanding; and provided further, that united Parishes shall for all the Purposes of this Act be deemed to be included under and denoted by the Word "Parish".

Provision for assessing and levying Police Rates in the Metropolitan District.

IV. And whereas it is expedient to provide for the more just and equal Assessment of all Houses, Lands, and Tenements in the said Districts towards the Maintenance of the said Police, and for the Purposes of the said Acts and this Act; be it therefore enacted, That it shall and may be lawful for the said Justices appointed under the said first-recited Act of the last Session of Parliament to raise and levy from Time to Time, on all Houses, Lands, and Tenements situate and being within the said District, such Rates or Taxes as they shall from Time to Time find necessary for the Maintenance of the said Police, and the several Purposes of the said Acts and this Act; provided that the Sum or Sums to be so raised and levied shall not exceed in the whole in any One Year Eight-pence in the Pound on the annual Value of such Houses, Lands, and Tenements; and the said Justices shall from Time to Time as they find Occasion by Warrant under their Hands appoint One or more proper Person or Persons to rate and assess all such Houses, Lands, and Tenements to such Rate as shall from Time to Time be fixed and determined by the said Justices, not exceeding the Amount of Eight-pence in the Pound, according to the full and fair annual Value thereof; and every such Assessor or Assessors shall, within Forty Days after the Delivery to him or them of the Warrant of his or their Appointment,

ment, deliver to the said Justices an Assessment for each Place named in such Warrant, which Assessment shall specify the Names of the several Owners or Occupiers of the respective Houses, Lands, and Tenements comprised in such Assessment, the full and fair annual Value of the same, and the Amount of Police Tax chargeable thereon respectively; and every such Assessor shall be allowed for his Trouble and Expences such Remuneration as the Chief or Under Secretary of the said Lord Lieutenant or other Chief Governor or Governors shall direct, and the same shall be paid out of the Funds applicable to the Maintenance of the said Police.

Mode of making the Assessment.

Allowance to Assessors.

V. Provided always, and be it enacted, That all Houses, Lands, and Tenements included in the general Valuation made of the City of *Dublin* pursuant to an Act passed in the Fifth Year of the Reign of King *George* the Fourth, intituled *An Act to provide for valuing the Houses situate in and near the City of Dublin, and for the more equal Payment of the Local Taxes there*, shall, so far as such Valuation may be applicable to the Purposes of this Act, be valued, rated, and assessed to the said Police Tax according to their respective annual Values as set forth in such Valuation; and the said Assessors shall adopt the same, and rate such Houses, Lands, and Tenements accordingly, unless where, upon Appeal from any Assessment made under this Act in manner herein-after mentioned, it shall have been determined that the said Valuation is erroneous.

The Valuation made under the Statute 5G.4. c. cxviii. to be adopted as to all Houses, &c. comprised in it.

VI. And be it enacted, That when any such Assessment shall have been made by the said Justices they shall cause Notice of such Assessment, and of a Place where the same may be inspected, to be given by Advertisements inserted in some One or more Newspapers published in the City of *Dublin*, and by Notices posted at the several Watch or Station Houses, and at the Police Office of the Division in which the Parish or Place to which such Assessment shall relate may be situate, and on such other Places within the same as they shall think necessary; and any Person in whose Custody such Assessment may be shall permit every Owner or Occupier of Property included in such Assessment to inspect the same at all reasonable Times, and to make any Extracts therefrom, without Payment of any Fee or Reward; and if such Person shall wilfully neglect or refuse to permit any such Owner or Occupier to inspect such Assessment, or to make any Extract therefrom, he shall, on Conviction thereof before any Two Justices of the Peace, forfeit and pay for every such Offence such Sum not exceeding Five Pounds as the Justices shall think meet.

When Assessment is made Notice thereof shall be given, and all Persons included in the Assessment shall have Liberty to inspect it, &c.

Penalty for refusing such Inspection.

VII. And be it enacted, That the said Justices shall from Time to Time nominate and appoint One or more Person or Persons for levying the Amount of Police Tax charged in every such Assessment, who shall have the same Powers, Remedies, and Privileges, and shall be subject to the same Regulations and Penalties, for and with reference to the Performance of their Duties, as if he or they were Collector or Collectors of the Rates and Assessments authorized to be levied by the said Justices under the said first-recited Act of the last Session of Parliament, and shall pay over the Amount of such Police Rate to the Receiver appointed under the said last-mentioned Act, or in default thereof shall be deemed and taken to have

Collection of the Police Rate.

have embezzled the same, and be proceeded against in the same Manner as Collectors in default may now be proceeded against under any Act now in force relating to the Collection of the Watch Tax in the District of *Dublin* Metropolis, or under any Law in force in *Ireland* for the Punishment of the Crime of Embezzlement; and all Money received by any such Collector shall from the Receipt thereof by him be deemed the Money of the said Receiver, and may be so described in any Information, Indictment, or other Proceeding.

Appeal
against
Assessment.

VIII. Provided always, and be it enacted, That if any Person who shall have paid the Amount charged upon him by any Assessment made under this Act shall think himself aggrieved thereby, either on the Ground, that such Assessment includes any Property for which he is not rateable, or that his rateable Property is assessed beyond its full and fair annual Value, or that any Person or Persons is or are omitted out of such Assessment, or that the Property of any Person or Persons is assessed below its full and fair annual Value, the Person so thinking himself aggrieved may appeal to the next Court of General or Quarter Sessions which shall be holden for the County of the City of *Dublin*, not less than Twenty-one Days after public Notice of such Assessment shall have been given as herein-before mentioned; provided that the Person so intending to appeal shall give to the said Receiver a Notice in Writing of such Appeal, and of the Cause and Matter thereof, Ten clear Days at the least before such Sessions, and shall also, within Three Days after his Notice of Appeal, enter into a Recognizance before some Justice of the Peace of the said County, with Two sufficient Sureties, conditioned to try such Appeal at the said Sessions, and to abide the Order of the Court thereupon, and to pay such Costs as shall be by the Court awarded; and in case such Person shall appeal on the Ground that any Person or Persons is or are omitted out of the Assessment, or that the Property of any Person or Persons is assessed below its full and fair annual Value, the Party so appealing shall not only give such Notice of Appeal to the Receiver, and enter into such Recognizance as aforesaid, but shall also give a like Notice of Appeal to the Person or Persons so interested in the Event of such Appeal as aforesaid, and shall enter into a like Recognizance within the Times herein-before respectively mentioned; and the Person or Persons so interested shall, if he or they shall desire it, be heard upon the Appeal; and the Justices of the Peace at such Sessions or some Adjournment thereof, upon due Proof of the Notice having been given and of the Recognizance having been entered into as aforesaid, shall hear and determine the Matter of the Appeal in a summary Manner, and shall make such Order therein, with or without Costs to either Party, as the said Justices shall think proper; and in case the said Justices shall think the Appellant entitled to Relief they shall order the Assessment to be amended in such Manner as may be necessary for giving him Relief, and shall also order any Money paid by him which he was not liable to pay to be returned to him by the said Receiver; and in case he shall have appealed on the Ground that any Person or Persons is or are omitted out of the Assessment, the said Justices may order the Name or Names of such Person or Persons to be inserted in the Assessment, and to be therein rated at such Amount as they shall deem just; and in case the Appellant shall have appealed on the Ground that the Property of any Person or Persons

The Assessment may be altered to relieve the Appellant, without altering any other Part of it.

is assessed below its full and fair annual Value, the said Justices may order the Amount at which such Person or Persons is or are rated in the Assessment to be altered in such Manner as they shall deem just ; and the proper Officer of the Court shall in each of the Cases aforesaid forthwith amend the Assessment accordingly, but the Assessment shall not be quashed or altered with respect to any other Persons named therein ; and the Determination of the Justices at any such Sessions or Adjournment shall be final and conclusive.

IX. And be it enacted, That where any House liable to Assessment under this Act shall be of a less annual Value than Ten Pounds, the immediate Landlord under whom such House may be held shall be rated and assessed to the said Tax ; and that when any House shall be let out in Apartments, the immediate Lessor or Landlord under whom all the different Holdings in such House are derived shall be rated or assessed for the same, and the Rate payable in respect thereof may be recovered from such Lessor or Landlord, whose Goods and Chattels, wheresoever found, shall be liable to be distrained for Payment of such Rate, as if found on the Premises chargeable : Provided always, that where such Rate shall be in arrear and unpaid for the Space of Thirty-one Days after the same shall have become due it shall be lawful for the Collector or other Person authorized to demand Payment thereof to give Notice in Writing to the Person or Persons in occupation of the House in respect whereof such Arrears shall be due to pay to the Receiver of the said Police Establishment the Rent or Rents reserved upon his, her, or their Holding ; after the Service of which Notice, by leaving the same at the Premises chargeable, every such Tenant, Occupier, or Lodger shall pay all Rent thereafter accruing due from him, pursuant to the Requisition of such Notice, the Receipt of which Payment shall be a sufficient Discharge for such Rent to the Person paying the same against the immediate Landlord of such Person, who shall accept such Receipt as Payment of so much Rent due to him ; and no such Tenant, Occupier, or Lodger shall be liable to any Distress or other Remedy on the Part of such Landlord for the Amount so paid ; and from and after the Delivery of such Notice, and until Satisfaction of all such Arrears of the said Police Tax, the said Receiver, or any other Person authorized by the said Justices to receive such Arrears, shall have all such Rights, Powers, and Authorities for recovering and enforcing the Payment of the Rent due and payable by any such Tenant, Occupier, or Lodger as the immediate Landlord of such Tenant, Occupier, or Lodger might have had ; and after Satisfaction of such Arrears of the said Police Tax by the Receipt of such Rent as aforesaid, the Overplus, deducting therefrom One Shilling in the Pound, and so rateably for any smaller Sum, shall be paid over to the said Landlord.

Landlords to be rated for Houses under 10*l*. Rates on Lodging Houses how to be paid.

X. Provided, and be it enacted, That the first Rate or Assessment of the said Police Tax under this Act shall not be made until after the Expiration of Two Calendar Months from the passing of this Act, and shall be thereafter made at such Time or Times as the said Justices shall fix ; and that until such first Rate and Assessment of the said Police Tax shall be made under this Act, but no longer, the Powers given in and by the said first-recited Act of the last Session of Parliament to the said Justices to raise and levy the Rates and

No Rate to be made under this Act until after Two Months ; until that Time, the Powers of recited Act to continue.

Recovery of
Arrears then
due.

Assessments mentioned in the said Act shall continue and be in full Force and Effect: Provided always, that it shall and may be lawful for the said Justices to recover, by all such Ways and Means as they might have done in case this Act had not been passed, any Arrears of such Rates or Assessments remaining due at the Time of making such first Rate or Assessment of the said Police Tax under this Act.

Accounts of
Monies re-
ceived and
expended
under this
Act to be
annually laid
before Par-
liament.

XI. And be it enacted, That an Account of all Monies received and expended for the Purposes of this Act made up to the Thirty-first Day of *December* in each Year, shall annually be laid before both Houses of Parliament within Thirty Days thereafter, if Parliament be then sitting, or within Thirty Days after the First Meeting of Parliament subsequent to the Thirty-first Day of *December*; and such Account shall specify the total Sum charged upon and received from every Parish, Township, Precinct, Liberty, or Place for the Purposes of this Act, the Rate in the Pound at which such Sum shall have been computed, and the total annual Value of the entire Property in every such Parish, Township, Precinct, Liberty, or Place as such total annual Value shall be stated in the last Valuation thereof, acted upon for the Purposes of this Act; and such Account shall also specify the different Heads of Expenditure for the Purposes of the Police and the Amount actually expended under each.

No Part of
the District
to be charged
with County
Grand Jury
Cess for Con-
stabulary
Force.

XII. And be it enacted, That no Houses, Lands, or Tenements comprised within the said District shall, from and after their being assessed under this Act, be liable to or charged with any Rate, Cess, or Assessment imposed by virtue of any Presentment made or to be made by the Grand Jury of the County of *Dublin*, for or in respect of the Constabulary Force for the said County, under the said hereinbefore recited Act of the last Session of Parliament, except in so far as may be required to repay any Advance which may have been made for the Service of the said Constabulary Force previous to such first Assessment; all which Advances shall and may be recovered, and the said Houses, Lands, and Tenements, and the Owners and Occupiers thereof, be and remain liable to the Payment of all Sums presented and apportioned on account of such previous Advances, in like Manner to all Intents and Purposes as if this Act had not been made.

Police Dis-
trict may be
divided.

XIII. And whereas the said Police District of *Dublin* Metropolis, as heretofore constituted and defined, is by Law directed to be divided into and now consists of Four Divisions, in each of which One Public Office is established, and Three Divisional Justices appointed to attend: And whereas it may be expedient that a smaller Number of Divisional and Police Officers and Divisional Justices respectively should be established and assigned in and for the said Police District as defined under this Act; be it therefore enacted, That it shall and may be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being, by and with the Advice of Her Majesty's Privy Council there, to divide the said Police District of *Dublin* Metropolis, as defined under this Act, into any Number not exceeding Four Divisions, and to define and declare the Limits thereof accordingly, and to establish Public Offices therein, One in each such Division, and to attach to each such Office any Number not exceeding Three such Justices; and from Time to Time as such Lord Lieutenant or other Chief Governor or Govern-
nors

nors shall, with such Advice and Consent as aforesaid, think proper, to alter the Number of such Divisions or the Limits thereof, or to discontinue or alter the Situation of any of the said Offices, or to increase or diminish the Number of Justices attached thereto respectively: Provided always, that there shall not at any Time be more than Four such Divisions or Offices, nor more than Three nor less than Two Justices (of whom One shall be a Barrister) attached to any such Office. •

XIV. And be it enacted, That upon any such Reduction of the Number of Divisional Justices or Divisions, it shall and may be lawful for the said Lord Lieutenant or other Chief Governor or Governors to select from and out of the Divisional Justices then acting as such so many as may be required to discharge the Duties of the said Police Offices, and to supersede other of the said Justices whose Services may not be required, and in like Manner to supersede any Clerk or Chief Constable previously attached to any Office then discontinued, and to direct that any of such Justices, Clerks, or Constables so superseded shall receive Two Thirds of his present Salary during his Life, payable in like Manner as the Salary of such Justices, Clerks, or Constables are payable out of the Funds applicable to the Maintenance of the said Police.

Upon Reduction of Divisions, the Justices, &c. may be superseded, at Discretion of Lord Lieutenant, on Two Thirds of their Salaries.

XV. Provided always, and be it enacted, That the Payment of any and every Allowance of any Proportion of Salary to any Justice, Clerk, or Constable superseded under this Act, shall altogether cease and be suspended during any Period while the Person to whom such Allowance shall be granted shall hold any Office in any public Department, the Salary or Profits whereof shall be equal to or shall exceed the Salary which was enjoyed by such Person as such Justice, Clerk, or Constable; and in case the Salary or Profits of the Office to which such Person may be appointed shall be less than the Salary which was enjoyed by such Person as such Justice, Clerk, or Constable, then no more of such Allowance shall be paid to him than what, together with the Salary and Profits of such new Office, shall be equal to the Amount of the Salary enjoyed by such Person at the Time of his being superseded as aforesaid.

Allowances to Justices, &c. shall be suspended on Appointment to any Office with a Salary equal to that of the Office superseded, and in proportion if to an Office with a less Salary.

XVI. And be it enacted, That it shall and may be lawful to and for the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, from Time to Time as he or they shall find necessary, to make such Rules and Regulations in respect of the Attendance of the Justices and other Officers at the Police Offices, and conducting the same, as may be deemed expedient, and to require the occasional Attendance of any Divisional Justice at any Office other than that to which he may be regularly attached, if necessary.

Lord Lieutenant may fix the Hours of Attendance.

XVII. And be it further enacted, That whenever the Number of Divisional Justices at any Public Office in the said District shall not exceed Two, or the Number of Offices be reduced below Four, it shall and may be lawful to and for the said Lord Lieutenant or other Chief Governor or Governors, in consideration of the increased Duty which will be imposed on such Justices, to increase the Salary of each Divisional Justice at such Office, or in case of the Reduction of the Number of Offices at the remaining Offices, to any Sum not exceeding

When the Justices are reduced to Two in each Office, Lord Lieutenant may increase their Salaries to 600*l*.

exceeding Six hundred Pounds by the Year, to be chargeable on the Funds applicable to the Maintenance of the said Police.

Lord Lieutenant may grant Compensation to the Inspector of the County of Dublin Constabulary under 5 G. 4. c. 28.

XVIII. And whereas by Operation of the said recited Act of the last Session of Parliament, for the Consolidation of the Laws relating to the Constabulary Force in *Ireland*, the Office of Superintendent or Inspector of the Chief Constables and Constables appointed under an Act passed in the Fifth Year of the Reign of His Majesty King *George* the Fourth, intituled *An Act to amend an Act of the Third Year of His present Majesty's Reign, for the Appointment of Constables in Ireland*, will cease and determine on the Constabulary Force of the said County being organized under the said Act of the last Session of Parliament, and it is reasonable that Compensation should be made to such Superintendent for the Loss of the said Office; be it therefore enacted, That it shall and may be lawful to and for the said Lord Lieutenant or other Chief Governor or Governors to grant to the Person having held the said Office of Superintendent or Inspector of the Chief Constables and Constables an annual Allowance or Compensation not exceeding Two Thirds of the Salary paid to him in respect of the said Office, which Allowance or Compensation shall be presented by the Grand Jury of the said County of *Dublin* in Two equal Sums, One Moiety at each Presenting Term, during his Life, on Proof to the Grand Jury from Time to Time that he is living.

No Office under 6 W. 4. c. 29. to prevent the Holder from receiving Half Pay.

XIX. And be it enacted, That no Office or Employment under the said first-recited Act of the last Session of Parliament shall prevent the Holder thereof from receiving any Half Pay to which, if he did not hold such Office or Employment, he might be or become entitled under any Act passed or hereafter to be passed, unless it shall be specially mentioned and provided in such Act that Persons holding such Appointments shall not receive Half Pay.

Justices not to serve on Juries.

XX. And be it enacted, That the Justices appointed and acting under the said recited Act of the Forty-eighth Year of the Reign of King *George* the Third, or under any Act passed or to be passed for the Regulation of the Police District of *Dublin* Metropolis, shall be and are hereby exempted and disqualified from being returned or serving on any Juries or Inquests whatsoever in the County or County of the City of *Dublin*.

Regulations as to Coffee Shops or Cellars, &c.

XXI. And whereas there are many Shops, Rooms, Cellars, and Places of public Resort, where Thieves, Prostitutes, and other disorderly Persons assemble at Night; be it enacted, That no Shop, Room, Cellar, or Place of public Resort, where ready-made Coffee, Tea, or other Liquors are sold or consumed, within the said Police District, shall be kept open after the Hour of Eleven at Night during any Part of the Year, nor open before the Hour of Four in the Morning between *Lady Day* and *Michaelmas*, or before Five in the Morning between *Michaelmas* and *Lady Day*; and that no Shop, Room, Cellar, or Place of public Resort, where any Refreshments or any Liquors not subject to any Duties of Customs or Excise are consumed within the said Police District, shall be kept open after the Hour of One in the Morning or before the Hour of Five in the Morning; and if any such Shop, Room, Cellar, or Place shall be open

open within the Hours herein-before respectively prohibited, or being shut up if any Person shall during those Hours respectively be found therein, except the Persons actually dwelling there, or having lawful Excuse for being there, or if Gaming shall be at any Time permitted or suffered therein, then the Master, Mistress, Waiter, or other Person having the Care, Government, or Management of such Shop, Room, Cellar, or Place, whether he or she be the real Owner or Keeper thereof or not, shall forfeit and pay any Sum not exceeding Ten Pounds upon Conviction of any such Offence before any Justice of the Peace by Confession or upon the Oath of One or more credible Witness or Witnesses; and if the Party so convicted shall not immediately pay the said Penalty, the Justice shall commit him or her to hard Labour in the House of Correction for any Space of Time not exceeding Three Months, unless the said Penalty shall be sooner paid; and the said Penalty when paid shall be distributed, one Moiety to the Informer, and the other Moiety to the Receiver of the Police Fund of the said District, for the Purposes of the said Acts: Provided always, that nothing herein contained shall apply to or affect any House duly licensed for the Sale of Wines and Spirituous Liquors; and that no such Conviction shall exempt the Owner, Keeper, or Manager of any such Shop, Room, Cellar, or Place from any Penalty or penal Consequence whereto he or she may be liable for keeping a disorderly House.

Penalty for
offending
herein.

Application
of Penalty.

Proviso.

XXII. And be it enacted, That if any Person shall within the said Police District blow any Horn or use any other noisy Instrument for the Purpose of hawking, selling, or distributing any Article whatsoever, it shall be lawful for any Constable, Patrol, Watchman, or other Person to apprehend every Person so offending, and convey him before any Justice of the Peace, who shall proceed to examine upon Oath any Witnesses appearing to give Evidence touching such Offence; and if the Party accused shall be convicted of such Offence, then and in every such Case he shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings; and in case the Offender shall not upon Conviction forthwith pay the Penalty, such Justice is hereby required to commit such Offender to the House of Correction, there to be kept to hard Labour for any Time not exceeding Ten Days, unless the Penalty shall be sooner paid.

Prohibiting
the blowing
of Horns.

Penalty not
exceeding
40s.

XXIII. And whereas Accidents often happen and Damage is frequently done in the Streets and Highways by the Negligence or wilful Misbehaviour of Persons driving Carriages or Vehicles thereon, and the Laws now in force have been found insufficient for the due Protection of Her Majesty's Subjects; be it therefore enacted, That if the Driver of any Carriage or Vehicle of any Kind whatsoever shall ride upon any such Carriage or Vehicle, or on any Horse drawing the same, not having some Person on Foot or on Horseback to guide the same (such Carriages or Vehicles as are commonly driven or conducted by some Person holding the Reins of the Horse or Horses excepted), or if the Driver of any Carriage or Vehicle whatsoever, or any Person riding, shall by Negligence, wilful Misbehaviour, or any other Misconduct, cause any Hurt or Damage to any Person or Property being upon any Street or Highway, or if the Driver of any Carriage or Vehicle whatever shall wilfully

To prevent
negligent
or wilful
Misbehaviour
of
Drivers of
Carriages,
&c. in the
Streets or
Highways.

Penalty not
exceeding
40s.

Compensa-
tion for
Hurt or
Damage not
exceeding
5l.

be at such Distance from such Carriage or Vehicle that he cannot have the Direction and Government of any Horse or Horses or Cattle drawing the same, not having employed some proper Person to take care of the same, or shall, by Negligence, wilful Misbehaviour, or any other Misconduct, interrupt the free Passage of any other Carriage or Vehicle or of Her Majesty's Subjects, or shall obstruct any Street or Highway, or any Crossing therein, or the Approach or Access to any House or Shop, and being required by any Constable or Peace Officer to pass on or move shall continue to obstruct the same, every Person so offending in any of the Cases aforesaid within the said District, and being convicted by any Justice of the Peace of any such Offence, either upon Confession or by the Oath of a credible Witness, shall for every such Offence forfeit any Sum not exceeding Forty Shillings; and in every Case where any such Hurt or Damage shall have been caused as aforesaid shall further pay such a Sum, not exceeding Five Pounds, as shall appear to the said Justice to be a reasonable Compensation to the Person so aggrieved or injured; and the Evidence of such Person shall be admitted in proof of the Offence: Provided always, that if the Person so aggrieved or injured shall have been the only Witness examined in proof of the Offence, such Sum so ordered as Compensation shall be paid and applied in the same Manner as a Penalty; and in default of Payment of such Penalty and of such Compensation, if ordered, together with the Costs attending such Conviction, immediately or within such Time as such Justice shall appoint, such Justice shall and may commit such Offender to the Common Gaol or House of Correction, to be there imprisoned for any Term not exceeding Two Months, unless such Penalty, together with the Costs and Compensation, if ordered, be sooner paid; and every such Offender shall and may by the Authority of this Act, with or without any Warrant, be apprehended by any Person who shall see such Offence committed, and shall be immediately conveyed or delivered to a Constable or other Peace Officer, in order to be conveyed before some Justice of the Peace.

Powers of
the Commis-
sioners of
Paving to
determine
Offences
transferred
to the Divi-
sional Jus-
tices.
47 G. 3.
Sess. 2. c. 109.

Powers of
Inspectors,
&c. under
said Act
given to
Constables
under
6 & 7 W. 4.
c. 29.

XXIV. And be it enacted, That from and after the passing of this Act all the Powers and Authorities given to the Commissioners for paving and lighting the City of *Dublin*, or to any One or more of them, in and by an Act passed in the Forty-seventh Year of the Reign of His Majesty King *George* the Third, intituled *An Act for the more effectual Improvement of the City of Dublin and the Environs thereof*, or by any Act passed for the Amendment thereof, for hearing and determining any Complaint for any Offence against the Provisions of the said Acts or any of them, and for imposing any Fine or Penalty thereon, and for enforcing the same, and for summoning the Parties and Witnesses thereon, shall be transferred to and be solely exercised according to the Forms and Provisions of the said Acts by One or more of the said Divisional Justices at the Public Office of the Division in which the Matter of said Complaint shall have arisen; and all the Powers given in and by the said Acts or any of them to any Inspector, Constable, or other Person appointed by the said Commissioners for the Removal or Suppression of Nuisances, or the Apprehension of Persons committing any Offence, shall and may be exercised and put in force by all and every or any of the Constables and Sub-Constables appointed or to be appointed under the said first-recited Act of the last Session of Parliament in every Street,

Lane,

Lane, or other Place within the said Police District; and every such Constable or Sub-Constable shall for those Purposes have all the Powers, Authorities, and Privileges of the Inspectors, Constables, and other Persons appointed or who may be appointed under the said Acts for the Improvement of the said City by the said Commissioners.

XXV. And be it enacted, That all Fines and Penalties recoverable under this Act, or under any other Act or Acts now in force or hereafter to be passed, and not otherwise directed by the said Acts to be applied, which may be adjudged or imposed by any Justice or Justices of the Peace within the said District, shall be paid to the Receiver appointed under the said Act of the last Session of Parliament.

All Fines imposed to be paid to the Receiver of the Police Funds.

XXVI. And be it enacted, That every Conviction for any Offence mentioned in this Act or in any of the said recited Acts, relating to the Police of the District of *Dublin* Metropolis, may be in the following Form of Words, or some other Form of Words to the like Effect:

Form of Conviction for Offences.

County, &c. } BE it remembered, That on the Day of
to wit. } in the Year of our Lord
at A.B. is brought before me [or, having been
duly summoned, has neglected to appear before me,] C.D. Esquire,
one of Her Majesty's Justices of the Peace for the County of
[or City or Place, as the Case may be,] and is
charged before me the said Justice with having [here describe the
Offence]; and it appearing to me the said Justice, upon the Con-
fession of him the said A.B. [or upon the Oath of a credible
Witness, as the Case may be,] that the said A.B. is guilty of the
said Offence, I do therefore adjudge the said A.B. [insert the Ad-
judication of the Justice]. Given under my Hand and Seal the Day
and Year first above written.'

XXVII. And be it enacted, That no such Conviction shall be quashed or set aside, or adjudged void or insufficient, for Want of Form, nor shall the same be removed by Certiorari into Her Majesty's Court of Queen's Bench; but that in all Cases where the Penalty shall exceed the Sum of Five Pounds or One Month's Imprisonment, if any Person shall think himself or herself aggrieved by such Conviction, such Person may appeal to the Justices of the Peace at the next General or Quarter Sessions of the Peace to be held for the County or City wherein the Cause of Complaint shall have arisen, such Person at the Time of his or her Conviction entering into a Recognizance with Two sufficient Sureties conditioned personally to appear at the said Sessions to try such Appeal, and to abide the further Judgment of the Justices at such Sessions assembled; and it shall be lawful for the Justice before whom such Conviction has taken place to bind over the Witnesses who shall have been examined in proof of such Offence in sufficient Recognizances to attend and be examined at the Hearing of such Appeal; and that every such Witness, on producing a Certificate of his being so bound over under the Hand of such Justice, shall be allowed Compensation for his Time and Trouble and Expences in attending such Appeal, which Compensation shall be paid by the Treasurer of the County in like Manner as in Cases of Felony, according

Conviction not to be quashed for Want of Form, or removeable.
Appeal to Quarter Sessions, &c.

6 & 7 W. 4.
c. 116.

according to and under the Provisions of an Act passed in the last Session of Parliament, intituled *An Act to consolidate and amend the Laws relating to the Presentment of Public Money by Grand Juries in Ireland*: Provided always, that in case such Appeal shall be dismissed and such Conviction affirmed, the reasonable Expences of all such Witnesses attending as aforesaid, to be ascertained by the Court, shall be paid by the Appellant or Appellants, and the Recognizance or Recognizances so entered into as aforesaid shall be estreated, unless such Expences are so paid by such Appellant or Appellants.

Act may be
altered this
Session.

XXVIII. And be it enacted, That this Act may be amended, altered, or repealed by any Act to be passed in this present Session of Parliament.

Public Act.

XXIX. And be it enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken notice of as such by all Judges, Justices, and others.

SCHEDULE to which this Act refers.

Boundary of the Dublin Police District.

From the Sea Beach, opposite the Point where the Barony of Rathdown abuts on the Road leading from Dublin to Blackrock at Old Merriion Burying Ground; along the Boundary Line between said Barony and the County of the City of Dublin to the Bridge over the Dodder at Donnybrook; thence along the left Bank of said River Dodder to the Junction of the Baronies of Uppercross and Newcastle, near Cypress Grove; and thence along the Boundary Line between the Baronies of Newcastle and Uppercross to the Third Lock from Dublin, on the Grand Canal, near Golden Bridge; thence in a direct Line to the Bridge over the River Anna Liffey at Chapelizod; and from the said Bridge along the left Bank of said River Anna Liffey to the Ferry at the Bottom of Knockmaroon Hill; thence along the Line of Road over Knockmaroon Hill to the Entrance of the Phoenix Park at Knockmaroon Gate; thence by the Wall of the Phoenix Park to Ashtown Lodge at the Back of the Under Secretary's House; from thence by the most direct Road over Longford Bridge on the Royal Canal to the Tolka River; and thence along the said River till it falls into the Sea at Annesley Bridge; thence by the Sea Line to the Lighthouse at the Termination of the North Wall; from thence across the River Liffey by a direct Line to the Lighthouse at the Termination of the South Wall; and from thence by the Low-water Mark to the Sea Beach opposite the Point where the Barony of Rathdown abuts on the Road leading from Dublin to Blackrock at Old Merriion Churchyard, as above described.



ANNO PRIMO

VICTORIÆ REGINÆ.

• • C A P. XXVI.

An Act for the Amendment of the Laws with
respect to Wills. [3d July 1837.]

BE it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Words and Expressions hereinafter mentioned, which in their ordinary Signification have a more confined or a different Meaning, shall in this Act, except where the Nature of the Provision or the Context of the Act shall exclude such Construction, be interpreted as follows; (that is to say,) the Word "Will" shall extend to a Testament, and to a Codicil, and to an Appointment by Will or by Writing in the Nature of a Will in exercise of a Power, and also to a Disposition by Will and Testament or Devise of the Custody and Tuition of any Child, by virtue of an Act passed in the Twelfth Year of the Reign of King Charles the Second, intituled *An Act for taking away the Court of Wards and Liveries, and Tenures in capite and by Knights Service, and Purveyance, and for settling a Revenue upon His Majesty in lieu thereof*, or by virtue of an Act passed in the Parliament of Ireland in the Fourteenth and Fifteenth Years of the Reign of King Charles the Second, intituled *An Act for taking away the Court of Wards and Liveries, and Tenures in capite and by Knights Service*, and to any other Testamentary Disposition; and the Words "Real Estate" shall extend to Manors, Advowsons, Messuages, Lands, Tithes, Rents, and Hereditaments, whether Freehold, Customary Freehold, Tenant

Meaning of certain Words in this Act;

"Will:"

12 Car. 2. c. 24.

14 & 15 Car. 2. (1.)

"Real Estate:"

3 H

“ Personal
Estate:”

Number :

Gender.

Tenant Right, Customary or Copyhold, or of any other Tenure, and whether corporeal, incorporeal, or personal, and to any undivided Share thereof, and to any Estate, Right, or Interest (other than a Chattel Interest) therein; and the Words “ Personal Estate ” shall extend to Leasehold Estates and other Chattels Real, and also to Monies, Shares of Government and other Funds, Securities for Money (not being Real Estates), Debts, Choses in Action, Rights, Credits, Goods, and all other Property whatsoever which by Law devolves upon the Executor or Administrator, and to any Share or Interest therein; and every Word importing the Singular Number only shall extend and be applied to several Persons or Things as well as One Person or Thing; and every Word importing the Masculine Gender only shall extend and be applied to a Female as well as a Male.

Repeal of the
Statutes of
Wills, 32 H. 8.
c. 1. and
34 & 35 H. 8.
c. 5.

10 Car. 1.
Sess. 2. c. 2.
(1.)

Sec. 5. 6. 12.
19. 20. 21.
& 22. of the
Statute of
Frauds,
29 Car. 2. c. 3.
7 W. 3. c. 12.
(1.)

Sec. 14. of
4 & 5 Anne,
c. 16.

6 Anne, c. 10.
(1.)

Sec. 9. of
14 G. 2. c. 20.

25 G. 2. c. 6.
(except as to
Colonies.)

25 G. 2. c. 11.
(1.)

II. And be it further enacted, That an Act passed in the Thirty-second Year of the Reign of King *Henry* the Eighth, intituled *The Act of Wills, Wards, and Primer Seisins, whereby a Man may devise Two Parts of his Land*; and also an Act passed in the Thirty-fourth and Thirty-fifth Years of the Reign of the said King *Henry* the Eighth, intituled *The Bill concerning the Explanation of Wills*; and also an Act passed in the Parliament of *Ireland*, in the Tenth Year of the Reign of King *Charles* the First, intituled *An Act how Lands, Tenements, etc. may be disposed by Will or otherwise, and concerning Wards and Primer Seisins*; and also so much of an Act passed in the Twenty-ninth Year of the Reign of King *Charles* the Second, intituled *An Act for Prevention of Frauds and Perjuries*, and of an Act passed in the Parliament of *Ireland* in the Seventh Year of the Reign of King *William* the Third, intituled *An Act for Prevention of Frauds and Perjuries*, as relates to Devises or Bequests of Lands or Tenements, or to the Revocation or Alteration of any Devise in Writing of any Lands, Tenements, or Hereditaments, or any Clause thereof, or to the Devise of any Estate *pur autre vie*, or to any such Estate being Assets, or to Nuncupative Wills, or to the repeal, altering, or changing of any Will in Writing concerning any Goods or Chattels or Personal Estate, or any Clause, Devise, or Bequest therein; and also so much of an Act passed in the Fourth and Fifth Years of the Reign of Queen *Anne*, intituled *An Act for the Amendment of the Law and the better Advancement of Justice*, and of an Act passed in the Parliament of *Ireland* in the Sixth Year of the Reign of Queen *Anne*, intituled *An Act for the Amendment of the Law and the better Advancement of Justice*, as relates to Witnesses to Nuncupative Wills; and also so much of an Act passed in the Fourteenth Year of the Reign of King *George* the Second, intituled *An Act to amend the Law concerning Common Recoveries, and to explain and amend an Act made in the Twenty-ninth Year of the Reign of King Charles the Second, intituled ‘An Act for Prevention of Frauds and Perjuries,’* as relates to Estates *pur autre vie*; and also an Act passed in the Twenty-fifth Year of the Reign of King *George* the Second, intituled *An Act for avoiding and putting an end to certain Doubts and Questions relating to the Attestation of Wills and Codicils concerning Real Estate in that Part of Great Britain called England, and in His Majesty’s Colonies and Plantations in America*, except so far as relates to His Majesty’s Colonies and Plantations in *America*; and also an Act passed in the Parliament

Parliament of *Ireland* in the same Twenty-fifth Year of the Reign of King George the Second, intituled *An Act for the avoiding and putting an end to certain Doubts and Questions relating to the Attestations of Wills and Codicils concerning Real Estates*; and also an Act, passed in the Fifty-fifth Year of the Reign of King George the Third, intituled *An Act to remove certain Difficulties in the Disposition of Copyhold Estates by Will*, shall be and the same are hereby repealed, except so far as the same Acts or any of them respectively relate to any Wills or Estates *pur autre vie* to which this Act does not extend. 55G.3.c.192.

III. And be it further enacted, That it shall be lawful for every Person to devise, bequeath, or dispose of, by his Will executed in manner herein-after required, all Real Estate and all Personal Estate which he shall be entitled to, either at Law or in Equity, at the Time of his Death, and which if not so devised, bequeathed, or disposed of would devolve upon the Heir at Law, or Customary Heir of him, or, if he became entitled by Descent, of his Ancestor, or upon his Executor or Administrator; and that the Power hereby given shall extend to all Real Estate of the Nature of Customary Freehold or Tenant Right, or Customary or Copyhold, notwithstanding that the Testator may not have surrendered the same to the Use of his Will, or notwithstanding that, being entitled as Heir, Devisee, or otherwise to be admitted thereto, he shall not have been admitted thereto, or notwithstanding that the same, in consequence of the Want of a Custom to devise or surrender to the Use of a Will or otherwise, could not at Law have been disposed of by Will if this Act had not been made, or notwithstanding that the same, in consequence of there being a Custom that a Will or a Surrender to the Use of a Will should continue in force for a limited Time only, or any other special Custom, could not have been disposed of by Will according to the Power contained in this Act, if this Act had not been made; and also to Estates *pur autre vie*, whether there shall or shall not be any special Occupant thereof, and whether the same shall be Freehold, Customary Freehold, Tenant Right, Customary or Copyhold, or of any other Tenure, and whether the same shall be a corporeal or an incorporeal Hereditament; and also to all contingent, executory, or other future Interests in any Real or Personal Estate, whether the Testator may or may not be ascertained as the Person or one of the Persons in whom the same respectively may become vested, and whether he may be entitled thereto under the Instrument by which the same respectively were created or under any Disposition thereof by Deed or Will; and also to all Rights of Entry for Conditions broken, and other Rights of Entry; and also to such of the same Estates, Interests, and Rights respectively, and other Real and Personal Estate, as the Testator may be entitled to at the Time of his Death, notwithstanding that he may become entitled to the same subsequently to the Execution of his Will.

All Property may be disposed of by Will, comprising Customary Freeholds and Copyholds without Surrender and before Admittance, and also such of them as cannot now be devised; Estates *pur autre vie*; contingent Interests; Rights of Entry; and Property acquired after Execution of the Will.

IV. Provided always, and be it further enacted, That where any Real Estate of the Nature of Customary Freehold or Tenant Right, or Customary or Copyhold, might, by the Custom of the Manor of which the same is holden, have been surrendered to the Use of a Will, and

As to the Fees and Fines payable by Devisees of Customary and Copyhold Estates.

and the Testator shall not have surrendered the same to the Use of his Will, no Person entitled or claiming to be entitled thereto by virtue of such Will shall be entitled to be admitted, except upon Payment of all such Stamp Duties, Fees, and Sums of Money as would have been lawfully due and payable in respect of the surrendering of such Real Estate to the Use of the Will, or in respect of presenting, registering, or enrolling such Surrender, if the same Real Estate had been surrendered to the Use of the Will of such Testator : Provided also, that where the Testator was entitled to have been admitted to such Real Estate, and might, if he had been admitted thereto, have surrendered the same to the Use of his Will, and shall not have been admitted thereto, no Person entitled or claiming to be entitled to such Real Estate in consequence of such Will shall be entitled to be admitted to the same Real Estate by virtue thereof, except on Payment of all such Stamp Duties, Fees, Fine, and Sums of Money as would have been lawfully due and payable in respect of the Admittance of such Testator to such Real Estate, and also of all such Stamp Duties, Fees, and Sums of Money as would have been lawfully due and payable in respect of surrendering such Real Estate to the Use of the Will, or of presenting, registering, or enrolling such Surrender, had the Testator been duly admitted to such Real Estate, and afterwards surrendered the same to the Use of his Will ; all which Stamp Duties, Fees, Fine, or Sums of Money due as aforesaid shall be paid in addition to the Stamp Duties, Fees, Fine, or Sums of Money due or payable on the Admittance of such Person so entitled or claiming to be entitled to the same Real Estate as aforesaid.

Wills or
Extracts of
Wills of Customary Freeholds and Copyholds to be entered on the Court Rolls ;

and the Lord to be entitled to the same Fine, &c. when such Estates are not now devisable as he would have been from the Heir in case of Descent.

V. And be it further enacted, That when any Real Estate of the Nature of Customary Freehold or Tenant Right, or Customary or Copyhold, shall be disposed of by Will, the Lord of the Manor or reputed Manor of which such Real Estate is holden, or his Steward, or the Deputy of such Steward, shall cause the Will by which such Disposition shall be made, or so much thereof as shall contain the Disposition of such Real Estate, to be entered on the Court Rolls of such Manor or reputed Manor ; and when any Trusts are declared by the Will of such Real Estate, it shall not be necessary to enter the Declaration of such Trusts, but it shall be sufficient to state in the Entry on the Court Rolls that such Real Estate is subject to the Trusts declared by such Will ; and when any such Real Estate could not have been disposed of by Will if this Act had not been made, the same Fine, Heriot, Dues, Duties, and Services shall be paid and rendered by the Devisee as would have been due from the Customary Heir in case of the Descent of the same Real Estate, and the Lord shall as against the Devisee of such Estate have the same Remedy for recovering and enforcing such Fine, Heriot, Dues, Duties, and Services as he is now entitled to for recovering and enforcing the same from or against the Customary Heir in case of a Descent.

Estates pur autre vie.

•VI. And be it further enacted, That if no Disposition by Will shall be made of any Estate *pur autre vie* of a Freehold Nature, the same shall be chargeable in the Hands of the Heir, if it shall come to him by reason of special Occupancy, as Assets by Descent, as in

the Case of Freehold Land in Fee Simple; and in case there shall be no special Occupant of any Estate *pur autre vie*, whether Freehold or Customary Freehold, Tenant Right, Customary or Copyhold, or of any other Tenure, and whether a corporeal or incorporeal Hereditament, it shall go to the Executor or Administrator of the Party that had the Estate thereof by virtue of the Grant; and if the same shall come to the Executor or Administrator either by reason of a special Occupancy or by virtue of this Act, it shall be Assets in his Hands, and shall go and be applied and distributed in the same Manner as the Personal Estate of the Testator or Intestate.

VII. And be it further enacted, That no Will made by any Person under the Age of Twenty-one Years shall be valid. . . .

No Will of a Person under Age valid;

VIII. Provided also, and be it further enacted, That no Will made by any Married Woman shall be valid, except such a Will as might have been made by a Married Woman before the passing of this Act.

nor of a Feme Covert, except such as might now be made.

IX. And be it further enacted, That no Will shall be valid unless it shall be in Writing and executed in manner herein-after mentioned; (that is to say,) it shall be signed at the Foot or End thereof by the Testator, or by some other Person in his Presence and by his Direction; and such Signature shall be made or acknowledged by the Testator in the Presence of Two or more Witnesses present at the same Time, and such Witnesses shall attest and shall subscribe the Will in the Presence of the Testator, but no Form of Attestation shall be necessary.

Every Will shall be in Writing, and signed by the Testator in the Presence of Two Witnesses at one Time.

X. And be it further enacted, That no Appointment made by Will, in exercise of any Power, shall be valid, unless the same be executed in manner herein-before required; and every Will executed in manner herein-before required shall, so far as respects the Execution and Attestation thereof, be a valid Execution of a Power of Appointment by Will, notwithstanding it shall have been expressly required that a Will made in exercise of such Power should be executed with some additional or other Form of Execution or Solemnity.

Appointments by Will to be executed like other Wills, and to be valid, although other required Solemnities are not observed.

XI. Provided always, and be it further enacted, That any Soldier being in actual Military Service, or any Mariner or Seaman being at Sea, may dispose of his Personal Estate as he might have done before the making of this Act.

Soldiers and Mariners Wills excepted.

XII. And be it further enacted, That this Act shall not prejudice or affect any of the Provisions contained in an Act passed in the Eleventh Year of the Reign of His Majesty King *George* the Fourth and the First Year of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to amend and consolidate the Laws relating to the Pay of the Royal Navy*, respecting the Wills of Petty Officers and Seamen in the Royal Navy, and Non-commissioned Officers of Marines, and Marines, so far as relates to their Wages, Pay, Prize Money, . . .

Act not to affect certain Provisions of 11 G. 4. & 1 W. 4. c. 20. with respect to Wills of Petty Officers and Seamen and Marines.

Money, Bounty Money, and Allowances, or other Monies payable in respect of Services in Her Majesty's Navy.

Publication
not to be
requisite.

XIII. And be it further enacted, That every Will executed in manner herein-before required shall be valid without any other Publication thereof.

Will not to
be void on
account of
Incompe-
tency of
attesting
Witness.

XIV. And be it further enacted, That if any Person who shall attest the Execution of a Will shall at the Time of the Execution thereof or at any Time afterwards be incompetent to be admitted a Witness to prove the Execution thereof, such Will shall not on that Account be invalid.

Gifts to an
attesting
Witness to
be void.

XV. And be it further enacted, That if any Person shall attest the Execution of any Will to whom or to whose Wife or Husband any beneficial Devise, Legacy, Estate, Interest, Gift, or Appointment, of or affecting any Real or Personal Estate (other than and except Charges and Directions for the Payment of any Debt or Debts), shall be thereby given or made, such Devise, Legacy, Estate, Interest, Gift, or Appointment shall, so far only as concerns such Person attesting the Execution of such Will, or the Wife or Husband of such Person, or any Person claiming under such Person or Wife or Husband, be utterly null and void, and such Person so attesting shall be admitted as a Witness to prove the Execution of such Will, or to prove the Validity or Invalidity thereof, notwithstanding such Devise, Legacy, Estate, Interest, Gift, or Appointment mentioned in such Will.

Creditor at-
testing to be
admitted a
Witness.

XVI. And be it further enacted, That in case by any Will any Real or Personal Estate shall be charged with any Debt or Debts, and any Creditor, or the Wife or Husband of any Creditor, whose Debt is so charged, shall attest the Execution of such Will, such Creditor notwithstanding such Charge shall be admitted a Witness to prove the Execution of such Will, or to prove the Validity or Invalidity thereof.

Executor to
be admitted
a Witness.

XVII. And be it further enacted, That no Person shall, on account of his being an Executor of a Will, be incompetent to be admitted a Witness to prove the Execution of such Will, or a Witness to prove the Validity or Invalidity thereof.

Will to be
revoked by
Marriage.

XVIII. And be it further enacted, That every Will made by a Man or Woman shall be revoked by his or her Marriage (except a Will made in exercise of a Power of Appointment, when the Real or Personal Estate thereby appointed would not in default of such Appointment pass to his or her Heir, Customary Heir, Executor, or Administrator, or the Person entitled as his or her next of Kin, under the Statute of Distributions).

No Will to
be revoked by
Presumption.

XIX. And be it further enacted, That no Will shall be revoked by any Presumption of an Intention on the Ground of an Alteration in Circumstances.

XX. And

XX. And be it further enacted, That no Will or Codicil, or any Part thereof, shall be revoked otherwise than as aforesaid, or by another Will or Codicil executed in manner herein-before required, or by some Writing declaring an Intention to revoke the same, and executed in the Manner in which a Will is herein-before required to be executed, or by the burning, tearing, or otherwise destroying the same by the Testator, or by some Person in his Presence and by his Direction, with the Intention of revoking the same.

No Will to be revoked but by another Will or Codicil, or by a Writing executed like a Will, or by Destruction.

XXI. And be it further enacted, That no Obliteration, Interlineation, or other Alteration made in any Will after the Execution thereof shall be valid or have any Effect, except so far as the Words or Effect of the Will before such Alteration shall not be apparent, unless such Alteration shall be executed in like Manner as herein-before is required for the Execution of the Will; but the Will, with such Alteration as Part thereof, shall be deemed to be duly executed if the Signature of the Testator and the Subscription of the Witnesses be made in the Margin or on some other Part of the Will opposite or near to such Alteration, or at the Foot or End of or opposite to a Memorandum referring to such Alteration, and written at the End or some other Part of the Will.

No Alteration in a Will shall have any Effect unless executed as a Will.

XXII. And be it further enacted, That no Will or Codicil, or any Part thereof, which shall be in any Manner revoked, shall be revived otherwise than by the Re-execution thereof, or by a Codicil executed in manner herein-before required, and showing an Intention to revive the same; and when any Will or Codicil which shall be partly revoked, and afterwards wholly revoked, shall be revived, such Revival shall not extend to so much thereof as shall have been revoked before the Revocation of the whole thereof, unless an Intention to the contrary shall be shown.

No Will revoked to be revived otherwise than by Re-execution or a Codicil to revive it.

XXIII. And be it further enacted, That no Conveyance or other Act made or done subsequently to the Execution of a Will of or relating to any Real or Personal Estate therein comprised, except an Act by which such Will shall be revoked as aforesaid, shall prevent the Operation of the Will with respect to such Estate or Interest in such Real or Personal Estate as the Testator shall have Power to dispose of by Will at the Time of his Death.

A Devise not to be rendered inoperative by any subsequent Conveyance or Act.

XXIV. And be it further enacted, That every Will shall be construed, with reference to the Real Estate and Personal Estate comprised in it, to speak and take effect as if it had been executed immediately before the Death of the Testator, unless a contrary Intention shall appear by the Will.

A Will shall be construed to speak from the Death of the Testator.

XXV. And be it further enacted, That, unless a contrary Intention shall appear by the Will, such Real Estate or Interest therein as shall be comprised or intended to be comprised in any Devise in such Will contained, which shall fail or be void by reason of the Death of the Devisee in the Lifetime of the Testator, or by reason of such Devise being contrary to Law or otherwise incapable of taking effect, shall

A Residuary Devise shall include Estates comprised in lapsed and void Devises

shall be included in the Residuary Devise (if any) contained in such Will.

A general Devise of the Testator's Lands shall include Copyhold and Leasehold as well as Freehold Lands.

XXVI. And be it further enacted, That a Devise of the Land of the Testator, or of the Land of the Testator in any Place or in the Occupation of any Person mentioned in his Will, or otherwise described in a general Manner, and any other general Devise which would describe a Customary, Copyhold, or Leasehold Estate if the Testator had no Freehold Estate which could be described by it, shall be construed to include the Customary, Copyhold, and Leasehold Estates of the Testator, or his Customary, Copyhold, and Leasehold Estates, or any of them, to which such Description shall extend, as the Case may be, as well as Freehold Estates, unless a contrary Intention shall appear by the Will.

A general Gift shall include Estates over which the Testator has a general Power of Appointment.

XXVII. And be it further enacted, That a general Devise of the Real Estate of the Testator, or of the Real Estate of the Testator in any Place or in the Occupation of any Person mentioned in his Will, or otherwise described in a general Manner, shall be construed to include any Real Estate, or any Real Estate to which such Description shall extend (as the Case may be), which he may have Power to appoint in any Manner he may think proper, and shall operate as an Execution of such Power, unless a contrary Intention shall appear by the Will; and in like Manner a Bequest of the Personal Estate of the Testator, or any Bequest of Personal Property described in a general Manner, shall be construed to include any Personal Estate, or any Personal Estate to which such Description shall extend (as the Case may be), which he may have Power to appoint in any Manner he may think proper, and shall operate as an Execution of such Power, unless a contrary Intention shall appear by the Will.

A Devise without any Words of Limitation shall be construed to pass the Fee.

XXVIII. And be it further enacted, That where any Real Estate shall be devised to any Person without any Words of Limitation, such Devise shall be construed to pass the Fee Simple, or other the whole Estate or Interest which the Testator had Power to dispose of by Will in such Real Estate, unless a contrary Intention shall appear by the Will.

The Words "die without Issue," or "die without leaving Issue," shall be construed to mean die without Issue living at the Death.

XXIX. And be it further enacted, That in any Devise or Bequest of Real or Personal Estate the Words "die without Issue," or "die without leaving Issue," or "have no Issue," or any other Words which may import either a Want or Failure of Issue of any Person in his Lifetime or at the Time of his Death, or an indefinite Failure of his Issue, shall be construed to mean a Want or Failure of Issue in the Lifetime or at the Time of the Death of such Person, and not an indefinite Failure of his Issue, unless a contrary Intention shall appear by the Will, by reason of such Person having a prior Estate Tail, or of a preceding Gift, being, without any Implication arising from such Words, a Limitation of an Estate Tail to such Person or Issue, or otherwise: Provided, that this Act shall not extend to Cases where such Words as aforesaid import if no Issue described in a preceding Gift shall be born, or if there shall be no Issue who shall live to attain

the Age or otherwise answer the Description required for obtaining a vested Estate by a preceding Gift to such Issue.

XXX. And be it further enacted, That where any Real Estate (other than or not being a Presentation to a Church) shall be devised to any Trustee or Executor, such Devise shall be construed to pass the Fee Simple or other the whole Estate or Interest which the Testator had Power to dispose of by Will in such Real Estate, unless a definite Term of Years, absolute or determinable, or an Estate of Freehold, shall thereby be given to him expressly or by Implication.

No Devise to Trustees or Executors, except for a Term or a Presentation to a Church, shall pass a Chattel Interest.

XXXI. And be it further enacted, That where any Real Estate shall be devised to a Trustee, without any express Limitation of the Estate to be taken by such Trustee, and the beneficial Interest in such Real Estate, or in the surplus Rents and Profits thereof, shall not be given to any Person for Life, or such beneficial Interest shall be given to any Person for Life, but the Purposes of the Trust may continue beyond the Life of such Person, such Devise shall be construed to vest in such Trustee the Fee Simple, or other the whole legal Estate which the Testator had Power to dispose of by Will in such Real Estate, and not an Estate determinable when the Purposes of the Trust shall be satisfied.

Trustees under an unlimited Devise, where the Trust may endure beyond the Life of a Person beneficially entitled for Life, to take the Fee.

XXXII. And be it further enacted, That where any Person to whom any Real Estate shall be devised for an Estate Tail or an Estate in quasi Entail shall die in the Lifetime of the Testator leaving Issue who would be inheritable under such Entail, and any such Issue shall be living at the Time of the Death of the Testator, such Devise shall not lapse, but shall take effect as if the Death of such Person had happened immediately after the Death of the Testator, unless a contrary Intention shall appear by the Will.

Devises of Estates Tail shall not lapse.

XXXIII. And be it further enacted, That where any Person being a Child or other Issue of the Testator to whom any Real or Personal Estate shall be devised or bequeathed for any Estate or Interest not determinable at or before the Death of such Person shall die in the Lifetime of the Testator leaving Issue, and any such Issue of such Person shall be living at the Time of the Death of the Testator, such Devise or Bequest shall not lapse, but shall take effect as if the Death of such Person had happened immediately after the Death of the Testator, unless a contrary Intention shall appear by the Will.

Gifts to Children or other Issue who leave Issue living at the Testator's Death shall not lapse.

XXXIV. And be it further enacted, That this Act shall not extend to any Will made before the First Day of *January* One thousand eight hundred and thirty-eight, and that every Will re-executed or republished, or revived by any Codicil, shall for the Purposes of this Act be deemed to have been made at the Time at which the same shall be so re-executed, republished, or revived; and that this Act shall not extend to any Estate *pur autre vie* of any Person who shall die

Act not to extend to Wills made before 1838, nor to Estates *pur autre vie* of Persons who die before 1838.

die before the First Day of *January* One thousand eight hundred and thirty-eight.

Act not to
extend to
Scotland.

XXXV. And be it further enacted, That this Act shall not extend to *Scotland*.

Act may be
altered this
Session.

XXXVI. And be it enacted, That this Act may be amended, altered, or repealed by any Act or Acts to be passed in this present Session of Parliament.

LONDON: Printed by GEORGE EYRE and ANDREW SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1837.



ANNO PRIMO

VICTORIÆ REGINÆ.

C A P. XXVII.

An Act for granting to Her Majesty, until the Fifth Day of *July* One thousand eight hundred and thirty-eight, certain Duties on Sugar imported into the United Kingdom, for the Service of the Year One thousand eight hundred and thirty-seven.,
[3d *July* 1837.]

Most Gracious Sovereign,

WE, Your Majesty's most dutiful and loyal Subjects, the Commons of the United Kingdom of *Great Britain* and *Ireland* in Parliament assembled, towards raising the necessary Supplies to defray Your Majesty's public Expences, have freely and voluntarily resolved to give and grant unto Your Majesty the Duties herein-after mentioned; and therefore do most humbly beseech Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Duties imposed on Sugar and Molasses by an Act passed in the Sixth and Seventh Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act for granting to His Majesty, until the Fifth Day of July One thousand eight hundred and thirty-seven, certain Duties on Sugar imported into the United Kingdom, for*

Duties imposed by
§ & 7 W. 4.
c. 26. continued till 5th
July 1838.

the Service of the Year One thousand eight hundred and thirty-six, shall be further continued until the Fifth Day of *July* One thousand eight hundred and thirty-eight.

Duties to be collected in like Manner as if continued by recited Act.

II. And be it enacted, That the Duties hereby continued shall be collected, paid, and accounted for in such and the like Manner as if the said Duties had been continued to the Fifth Day of *July* One thousand eight hundred and thirty-eight by the said recited Act.

Her Majesty may allow the Importation of Sugar the Growth of certain British Possessions.

III. Provided always, and be it enacted, That if at any Time satisfactory Proof shall have been laid before Her Majesty in Council that the Importation of Foreign Sugar into any *British* Possession within the Limits of the *East India* Company's Charter is prohibited, it shall be lawful for Her Majesty, by and with the Advice of Her Privy Council, or by Her Majesty's Order in Council to be published from Time to Time in the *London Gazette*, to allow the Importation of Sugar the Growth of any such *British* Possession at the lower Rate of Duty in the said Act specified, in like Manner and under the same Restrictions and Conditions as Sugar the Growth of the Presidency of *Fort William* in *Bengal* may be imported subject to a lower Rate of Duty under the Provisions of the said recited Act.

Separate Accounts to be kept in the Exchequer of the Duties arising in Great Britain.

Duties arising in Ireland to be paid into Exchequer there.

IV. And be it enacted, That a distinct and separate Account shall be kept, in the Office of the Comptroller General of the Receipt and Issue of Her Majesty's Exchequer at *Westminster*, of all the Money that shall be paid to the Account of Her Majesty's Exchequer at the Bank of *England* from so much of the said Duties hereby granted on Sugar as shall arise and be payable in *Great Britain*; and it shall be lawful for the Commissioners of the Treasury of the United Kingdom of *Great Britain* and *Ireland* to issue and apply the same from Time to Time to such Services as shall then have been voted by the Commons of the United Kingdom of *Great Britain* and *Ireland* in this present Session of Parliament; and so much of the said Duties on Sugar as shall arise and be payable in *Ireland* shall be paid into the Receipt of the Exchequer in *Ireland*, and shall be carried to the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*.

The Treasury may direct Exchequer Bills to be made out not exceeding 3,000,000.

V. And be it enacted, That it shall be lawful for the said Commissioners of the Treasury, at any Time or Times when they shall think fit so to do, to cause or direct any Number of Exchequer Bills to be made out at the Receipt of the Exchequer at *Westminster* for any Sum or Sums of Money not exceeding, in the whole, including any Sum or Sums of Money issued towards the Aids or Supplies in pursuance of this Act, the Sum of Three Millions, in the same or like Manner, Form, and Order, and according to the same or like Rules and Directions, as are directed and prescribed in and by an Act passed in the Forty-eighth Year of the Reign of His Majesty King *George* the Third, intituled *An Act for regulating the issuing and paying off of Exchequer Bills*.

Powers of 48 G. 3. c. 1. extended to this Act.

VI. And be it enacted, That all and every the Clauses, Provisoos, Powers, Privileges, Advantages, Penalties, Forfeitures, and Disabilities contained in the said recited Act passed in the Forty-eighth Year of the

the Reign of His said Majesty shall be applied and extended to the Exchequer Bills to be made out in pursuance of this Act, as fully and effectually to all Intents and Purposes as if the said several Clauses or Provisoos had been particularly repeated and re-enacted in the Body of this Act.

VII. And be it enacted, That the Exchequer Bills to be made out in pursuance of this Act shall and may bear an Interest, not exceeding the Rate of Four Pounds *per Centum per Annum* upon or in respect of the whole of the Monies respectively contained therein.

Exchequer Bills to bear an Interest.

VIII. And be it declared and enacted, That it shall be lawful for the Governor and Company of the Bank of *England* to advance or lend to Her Majesty, by placing to the Account of Her Majesty's Exchequer at the Bank of *England*, upon the Credit of the Exchequer Bills authorized by this Act, any Sum or Sums of Money not exceeding in the whole the Sum of Three Millions; any thing in an Act passed in the Fifth and Sixth Years of the Reign of King *William* and Queen *Mary*, intituled *An Act for granting to Their Majesties several Rates and Duties upon Tonnage of Ships and Vessels, and upon Beer, Ale, and other Liquors; and for securing certain Recompences and Advantages in the said Act mentioned to such Persons as shall voluntarily advance the Sum of One million five hundred thousand Pounds towards carrying on the War against France, or in any subsequent Act, to the contrary thereof in anywise notwithstanding.*

Bank of England may advance Money on Credit of this Act, notwithstanding 5 & 6 W. & M. c. 20.

IX. And be it enacted, That it shall be lawful for the said Commissioners of the Tréasury, and they are hereby authorized and empowered, to cause such Bills as shall be prepared by virtue of this Act to be delivered from Time to Time to the Governor and Company of the Bank of *England*, in such Proportions as the Public Service may require, as Security for the Advance or Advances which may be made to Her Majesty by the said Governor and Company of the Bank of *England* under the Authority of this Act.

Bills to be delivered to Bank of England as Security for Advances.

X. Provided always, and be it enacted, That the Exchequer Bills to be made forth by virtue of this Act, together with the Interest that may become due thereon, shall be and the same are hereby made chargeable and charged upon the Duties granted by this Act; and it shall be lawful for the said Commissioners of the Treasury and they are hereby authorized, from Time to Time to direct to be issued to the Paymasters of Exchequer Bills, by way of Imprest and upon Account, such Sums of Money and at such Periods as the said Commissioners shall think necessary, for or towards paying off and discharging the Exchequer Bills which shall have been made forth by virtue of this Act, or any of them, and for and towards paying the Interest to become due on the said Bills or any of them.

Exchequer Bills to be charged on the Duties granted by this Act.

XI. And be it enacted, That the Monies remaining unsatisfied or not discharged, with the Interest due or to grow due thereon, shall be paid and satisfied out of the next Aid or Aids to be granted in Parliament after the Fifth Day of *July* One thousand eight hundred and thirty-eight.

Money due to be paid out of next Aids.

XII. And

Surplus Monies to be carried to Consolidated Fund.

XII. And be it enacted, That the Surplus of the Monies arising from the Duties granted and imposed by this Act, after paying off and satisfying all the Exchequer Bills issued by virtue of this Act, together with the Interest that may become due thereon, shall, as a Surplus of any such Monies respectively, be carried to and made Part of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*.

Treasury to allow necessary Charges of making forth new Exchequer Bills.

XIII. And be it enacted, That it shall be lawful for the said Commissioners of the Treasury or any Three or more of them for the Time being, and they are hereby authorized and empowered, to pay and allow or cause to be paid and allowed, out of the Monies to arise of or from the said Duties hereby granted, or of or from the said Consolidated Fund, from Time to Time, the necessary Charges of making forth the Exchequer Bills hereby authorized to be made forth, and such other Charges as shall be necessarily incident in or for the Execution of this Act, or any Part thereof, in relation to the said Bills; any thing herein contained to the contrary notwithstanding.

Monies issued to be replaced out of first Supplies.

XIV. Provided always, and be it enacted, That whatever Monies shall be issued out of the said Consolidated Fund shall from Time to Time be replaced by and out of the first Supplies to be thereafter granted by Parliament; any thing herein contained to the contrary notwithstanding.

Act may be altered.

XV. And be it enacted, That this Act may be altered, amended, or repealed by any Act to be passed in this present Session of Parliament.

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ANNO PRIMO

VICTORIÆ REGINÆ.

C A P. XXVIII.

An Act to amend an Act of the Third and Fourth Years of His late Majesty, for the Limitation of Actions and Suits relating to Real Property, and for simplifying the Remedies for trying the Rights thereto. [3d July 1837.]

WHEREAS Doubts have been entertained as to the Effect of a certain Act of Parliament made in the Third and Fourth Years of His late Majesty King *William* the Fourth, intituled *An Act for the Limitation of Actions and Suits relating to Real Property, and for simplifying the Remedies for trying the Rights thereto*, so far as the same relates to Mortgages; and it is expedient that such Doubts should be removed: Be it declared and enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall and may be lawful for any Person entitled to or claiming under any Mortgage of Land, being Land within the Definition contained in the First Section of the said Act, to make an Entry or bring an Action at Law or Suit in Equity to recover such Land at any Time within Twenty Years next after the last Payment of any Part of the

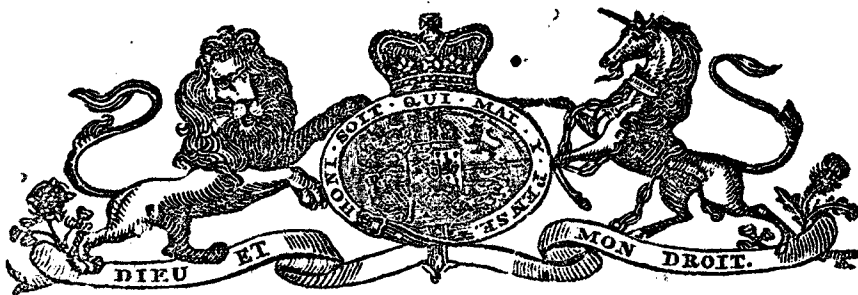
3 & 4 W. 4. c. 27.
Mortgagees within the Definition in 3 & 4 W. 4. c. 27. s. 1. may bring Actions to recover Land the

3 M

within 20
Years after
last Payment
of Principal
or Interest.

the Principal Money or Interest secured by such Mortgage, although more than Twenty Years may have elapsed since the Time at which the Right to make such Entry or bring such Action or Suit in Equity shall have first accrued, any thing in the said Act notwithstanding.

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ANNO PRIMO

VICTORIÆ REGINÆ.

C A P. XXIX.

An Act for enabling Her Majesty to grant the Rank of General Officers to Foreigners now bearing Her Majesty's Commission, and to permit the Enlistment of Foreigners under certain Restrictions. [12th July 1837.]

WHEREAS by an Act passed in the Fifty-fifth Year of the Reign of His Majesty King George the Third, intituled *An Act to amend and continue for One Year, and until Twelve Months after the Termination of the present War by the Ratification of a definitive Treaty of Peace, Two Acts of His present Majesty, for enabling Subjects of Foreign States to enlist and serve as Soldiers in His Majesty's Service; and to enable His Majesty to grant Commissions to Subjects of Foreign States to serve as Officers, under certain Restrictions*, it is provided, that nothing in that Act contained should extend to any Officer not being a natural-born Subject of His Majesty, or entitled to the Rights and Privileges of a natural-born Subject of His Majesty, who should at the Time of the passing of that Act hold any Commission in any other Regiment, Battalion, or Corps in His Majesty's Service than in the said recited Acts specified, or to prevent any such Officer from continuing to hold such Commission, or to accept and receive any higher Regimental Commission in any Regiment, Battalion, or Corps of His Majesty's Forces: And whereas it hath been doubted whether the said Act may not extend to prevent Her Majesty from granting to any such Officer

Foreigners
bearing Her
Majesty's
Commission
may be pro-
moted to the
Rank of
General
Officers.

Officer any higher or other Rank or Commission than a Regimental Commission ; and it is expedient that such Doubts be removed ; be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall be lawful for Her Majesty, if She shall think fit, to grant to any Officer not being a natural-born Subject of Her Majesty, but who at the Time of passing the said recited Act held Her Majesty's Commission in any such other Regiment, Battalion, or Corps of Her Majesty's Forces, and was allowed to retain the same under the Provisions of this first-recited Act, the Rank and Commission of Colonel, Major General, Lieutenant General, or General, as to Her Majesty shall seem fit, with the Pay, Emoluments, Allowances, and Advantages belonging to the Rank so granted.

Foreigners
may enlist or
serve in the
Proportion of
One to Fifty.

II. And be it enacted, That it shall be lawful for Her Majesty to signify Her Consent, by the Secretary at War, that any Person not being a natural-born Subject or entitled to the Privileges of a natural-born Subject of Her Majesty may enlist or serve as a Soldier in Her Majesty's Service, provided that the Number of Foreigners serving together at any one Time in any Regiment, Battalion, or Corps shall not exceed the Proportion of One Foreigner for every Fifty natural-born Subjects or Men entitled to the Privileges of natural-born Subjects ; and every Foreign Soldier for whom Her Majesty's Consent shall have been so obtained shall be taken to have been legally enlisted and to be legally serving : Provided also, that no such Soldier shall be capable of holding any higher Rank in Her Majesty's Forces than that of a Non-commissioned Officer.

LONDON : Printed by GEORGE EYRE and ANDREW SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1837.



ANNO PRIMO

VICTORIÆ REGINÆ.

C A P. XXX.

An Act' to abolish certain Offices in the Superior Courts of Common Law, and to make Provision for a more effective and uniform Establishment of Officers in those Courts. [12th July 1837.]

WHEREAS in Her Majesty's Superior Courts of Common Law at *Westminster* there are many Officers whose Duties have wholly or in part ceased, or are executed by Deputy, and whose Offices have become by Changes in the Law useless, and inapplicable to the present Practice and Proceedings in those Courts, though the Fees in such Offices continue payable by the Suitors as heretofore : And whereas by an Act passed in the Eleventh Year of the Reign of King *George* the Fourth and the First Year of the Reign of His late Majesty King *William* the Fourth, intituled *An Act for regulating the Receipt and future Appropriation of Fees and Emoluments receivable by Officers of the Superior Courts of Common Law*, the net annual Value of certain of such Offices has been ascertained, and the Persons who were the Holders thereof prior to the Twenty-fourth Day of *May* One thousand eight hundred and thirty are compensated in Manner and Form by that Statute pointed out : And whereas the Continuance of sinecure and useless Offices tends to impair the effective Administration of Justice, and to cast upon the Public and the Suitors in those Courts unnecessary Burthens and Costs ; and it is expedient to abolish the said Offices, and to make Provision for a more uniform and effective Establishment of Officers

11 G. 4. &
1 W. 4. c. 58.

Certain
Offices in
the Courts
of Queen's
Bench, Com-
mon Pleas,
and Exche-
quer abo-
lished.

in each of the Superior Courts of Common Law: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the First Day of *January* One thousand eight hundred and thirty-eight the Offices mentioned in the Schedule to this Act annexed, marked (A.), on the Plea Side of the Courts of Queen's Bench and Exchequer, and in the Court of Common Pleas, shall be and the same are hereby abolished.

Clerk of Er-
rors in the
Court of Ex-
chequer
Chamber
abolished.

II. And whereas the Duties of the Clerk of Errors in the Court of Exchequer Chamber are so much diminished as to render it inexpedient any longer to continue a separate Office for the Performance thereof; be it further enacted, That from and after the First Day of *January* One thousand eight hundred and thirty-eight the said Office of Clerk of the Errors in the Court of Exchequer Chamber shall be and the same is hereby abolished; and all Acts, Duties, and Services now and heretofore done, performed, and rendered by the said Officer shall continue to be done, performed, and rendered by the Masters of the respective Courts from which Error is brought, or any One or more of them; and such Acts, Duties, and Services when so done, performed, and rendered by the said Masters, or their Successors, or any One or more of them, shall be good and valid in Law to all Intents and Purposes; and all lawful Powers and Authorities now and heretofore vested in or exercised by the said Clerk of Errors in the Court of Exchequer Chamber, by virtue or in right of his Office, shall be exercised by the said Masters, or any One or more of them.

Certain Per-
sons appoint-
ed as Masters
or Principal
Officers of the
said Courts.

III. And be it further enacted, That from and after the said First Day of *January* One thousand eight hundred and thirty-eight there shall be in each of the said Courts respectively, to conduct the Civil Business thereof, Five Principal Officers, and no more, to be called respectively the Masters of each of the said Courts; and the Persons mentioned in the Schedule to this Act annexed, marked (B.), shall be and the same are hereby appointed and declared to be such Masters in each of the said Courts respectively.

Henry Bel-
ward Ray,
Esq. to be
First Master
of the Com-
mon Pleas.

IV. Provided always, and it is hereby further declared and enacted, That *Henry Belward Ray* Esquire shall hold and enjoy the said Appointment or Office of First Master of the Court of Common Pleas during the same Term, and with and under and subject to the same Estate, Title, and Tenure, as he heretofore held the Office of Prothonotary of the Court of Common Pleas, and with all and every the Incidents, Rights, Powers, Authorities, and Privileges which heretofore belonged, were attached, or incident to the said Office, except so far as is specifically enacted by this Act, or so far as such Rights, Powers, Authorities, or Privileges may be incompatible or inconsistent with the Enactments herein contained, or any of the Duties or Obligations hereby imposed.

V. And be it further enacted, That from and after the said First Day of *January* One thousand eight hundred and thirty-eight all Acts, Duties, and Services now and heretofore done, performed, and rendered by the said Officers abolished by this Act, or any of them, in their respective Offices in the said Courts, shall continue to be done, performed, and rendered by the Masters hereby appointed in each of those Courts, or their Successors, or any One or more of them; and such Acts, Duties, and Services, when so done, performed, and rendered by the said Masters, or their Successors, or any One or more of them, shall be good and valid in Law, to all Intents and Purposes; and all lawful Powers and Authorities now and heretofore vested in or exercised by the Officers so abolished as aforesaid, or any of them, by virtue or in right of any Office by them held in either of the said Courts, shall be and the same are hereby vested in and shall be exercised by the Masters of those Courts respectively, or by any One or more of them.

Masters of the said Courts to perform all the Duties and exercise all the Powers and Authorities of the Officers abolished by this Act.

VI. And whereas it is expedient that a new Table or Tables of the Fees proper to be taken in the Superior Courts of Common Law at *Westminster* should be prepared with reference to the various Changes and Alterations which have taken place in the Process, Practice, and Proceedings of those Courts, and to the Diminution of Expence, where practicable, to the Suitors: And whereas by an Act passed in the Third Year of the Reign of King *George* the Fourth, intituled *An Act to enable the Judges of the several Courts of Record at Westminster to make Regulations respecting the Fees of the Officers, Clerks, and Ministers of the said Courts*, it was enacted, that it should be lawful for any Three or more of the Judges of the Courts of King's Bench, Common Pleas, Exchequer, and Exchequer Chamber respectively, to establish and ordain, by their Discretion, Tables of Fees to be thereafter taken by the several Officers, Clerks, and Ministers of the same respective Courts, and by the Clerks and Officers of the Judges thereof respectively, and that the Fees so established and ordained should be deemed and taken to be the lawful Fees of such Officers, Clerks, and Ministers respectively: And whereas, owing to the numerous and important Duties and Avocations of the said Judges, no such Regulations respecting Fees have yet been or are likely to be made, but the ancient and unsuitable Fees still continue to be taken from the Suitors in the said Courts; be it further enacted, That it shall and may be lawful for the Commissioners of Her Majesty's Treasury and they are hereby required to direct and instruct the Commissioners appointed under the before-recited Act passed in the Eleventh Year of the Reign of King *George* the Fourth and the First of His said late Majesty, or such of them as they may think proper, forthwith to prepare and draw up a Table or Tables of the Fees proper to be demanded and taken in the Superior Courts of Common Law, to be laid for their Approval before the Judges of the said Courts; and the said Judges are hereby empowered and required, before the First Day of *January* One thousand eight hundred and thirty-eight, to revise the said Table or Tables of Fees so prepared as aforesaid, and to add to, or reduce, alter, or amend the same, as they may deem necessary and proper, and the said Table or Tables of Fees so revised and corrected as aforesaid to allow and sanction, by affixing their

Commissioners of Her Majesty's Treasury empowered to direct the drawing up a Table of Fees.

3 G. 4. c. 69.

their Signatures respectively thereto, and to establish the same in and for the said Courts; which Tables of Fees shall be entered or enrolled in the public Books or Records of the Courts to which they respectively relate, in such Manner as the Judges of the said Courts shall think fit; and the Fees so established and ordained, and no other, shall, from and after the said First Day of *January* One thousand eight hundred and thirty-eight, be deemed and taken to be the lawful Fees to be thenceforth demanded, received, and taken in the said Courts respectively.

Records, &c.
of abolished
Offices trans-
ferred to the
Masters; and
Searches may
be made and
Copies taken
as heretofore.

VII. And be it further enacted, That all the Records, Books, Papers, and Documents of and concerning the Duties and Business of the several Offices of the Courts of Queen's Bench, Common Pleas, and Exchequer, so abolished as aforesaid, shall, on or before the said First Day of *January* One thousand eight hundred and thirty-eight, be delivered by the several Officers of the said Courts respectively now having the Custody of the same into the Custody and Possession of the Masters of the said Courts respectively appointed or to be appointed under or by virtue of this Act, to be by them kept and preserved; and Searches may be made, and Copies or Extracts of and from the said Records, Books, Papers, and Documents shall and may be had and taken, at such Times and in such Manner as hath been the accustomed Practice in the several Offices hereby abolished; and all such Copies or Extracts signed and authenticated by One or more of the said Masters of the said Courts respectively shall be as available in Evidence and as valid and effectual to all Intents and Purposes as if the same had been signed, authenticated, and given by the Officers whose Offices are hereby abolished, or any of them, subject nevertheless to such Rules, Orders, and Regulations as the said Courts shall or may from Time to Time make or ordain in respect of the same.

Certain Offi-
cers whose
Offices are
abolished to
pay over to
Masters un-
der this Act
all Balances
of Suitors
Money in
their Hands,
to be by such
Masters paid
into the Bank
of England.

VIII. And be it further enacted, That the Chief Clerk of the Court of Queen's Bench, the Prothonotaries of the Court of Common Pleas, and the Masters and Prothonotaries of the Court of Exchequer, whose Offices are abolished by this Act, shall and they are hereby required, on or before the said First Day of *January* One thousand eight hundred and thirty-eight, to pay over to the Masters of the said Courts respectively appointed by this Act all and every Sum and Sums of Money which shall at any Time theretofore have been paid into the said respective Courts by or on behalf of Suitors, to abide the Event of any Suit, or for any Purpose whatsoever, and which shall then remain unclaimed and undisposed of in the Hands and Possession of the said Chief Clerk of the Court of Queen's Bench, or the said Prothonotaries of the Court of Common Pleas, or the said Masters and Prothonotaries of the Court of Exchequer; and the said last-mentioned Officers respectively shall and they are hereby required, at the Time of their paying over the said Monies to the Masters of the said Courts respectively as aforesaid, to render to such Masters an Account thereof, showing the precise Amount paid into Court in each Action, the Names of the Plaintiff and Defendant, and of their Attornies, and the Time when, and by whom, and the Purpose, so far as the same can be ascertained, for which the said Amount was so paid

paid in, which Account the said Masters shall cause to be entered in Books to be kept in their Offices respectively for that Purpose; and the Masters of the said Courts respectively shall and they are hereby required immediately after the Receipt of such Sum or Sums of Money to pay the same into the Bank of *England* to an Account to be opened by the Masters of the said Courts respectively in the Books of the Governor and Company of that Bank, to be called the "Account of the Suitors Fund of the Court of Queen's Bench, Common Pleas, or Exchequer," as the Case may be, which Accounts respectively the Governor and Company of the Bank of *England* are hereby authorized and required to open in their Books accordingly.

IX. And be it further enacted, That from and after the said First Day of *January* One thousand eight hundred and thirty-eight the Masters of the said Courts respectively shall cause all and every Sum or Sums of Money paid into the said Courts by or on the Behalf of the Suitors in either of those Courts, to abide the Event of the Suit, or for any other Purpose whatsoever, to be entered in proper Books to be kept for that Purpose, and shall as soon as conveniently may be pay all and every such Sum or Sums of Money into the Bank of *England* to the Credit of their respective Accounts of the Suitors Fund to be opened as aforesaid; and the Masters of the said Courts respectively, or any Two or more of them, shall and they are hereby authorized and required to draw on the said Governor and Company of the Bank of *England* for any Sum or Sums of Money so paid in as aforesaid, at the Commencement of this Act or afterwards, which the Masters of the said Courts respectively may require for the Purposes of any Suit pending in their respective Courts; and the said Governor and Company of the Bank of *England* are hereby authorized and required to pay all such Sums of Money as may be so drawn for by any Order signed by the Masters of the said Courts respectively, or any Two or more of them.

All Monies deposited in Court by Suitors at or after the Commencement of this Act to be paid into the Bank of *England*, and drawn out by the Order of Two or more of the Masters of each Court.

X. And be it further enacted, That when and so often as any Vacancy shall occur in any of the said Offices of Master in either of the said Superior Courts of Common Law, by Death, Resignation, or otherwise, it shall and may be lawful for the Lord Chief Justice or Lord Chief Baron of the Court in which such Vacancy shall occur to nominate and appoint some fit and proper Person to fill such vacant Office, such Person being a Barrister in actual Practice of not less than Five Years standing at the Bar, or who shall have practised as a Pleader for not less than Five Years, or an admitted Attorney in all or any one of those Courts in actual Practice of not less than Five Years standing on the Rolls of such Court, or who shall have served as Officers or Clerks in either of the said Offices hereby abolished, or as Clerks in either of the Offices of the said Masters, or as both, for not less than Five Years in the whole: Pro-
vided always, that nothing herein contained shall extend or be construed to extend to affect the Rights of Appointment of certain of the Masters on the Plea Side of the Court of Exchequer, now vested in *William Stewart Rose* Esquire under and by virtue of an Act passed in the Second and Third Years of the Reign of His said late Majesty, intituled *An Act for the better Regulation of the Duties*

The Lord Chief Justices or the Lord Chief Baron of the said Courts respectively to appoint to future Vacancies in the Office of Masters.

Proviso.

2 & 3 W. 4.
to c. 110.

to be performed by the Officers on the Plea Side of the Court of Exchequer.

A Certificate of the Necessity of filling up each Vacancy to be made previous to Appointment as herein directed.

XI. Provided also, and be it further enacted, That upon the Death, Resignation, or Removal of either of the Masters of the said Courts appointed by this Act, the Lord Chief Justice or Lord Chief Baron in whose Court the Vacancy shall occur shall not be at liberty to fill up such Vacancy unless it shall be certified in Writing to the Commissioners of Her Majesty's Treasury, under the Hand of such Lord Chief Justice or Lord Chief Baron, that, after minute Inquiry, it appears to the said Lord Chief Justice or Lord Chief Baron, and to the other Judges of their respective Courts, that it is absolutely necessary for the efficient and satisfactory Conduct of the Business of the Court that the full Number of Five Masters in such Court should be retained; and such Certificate shall forthwith be laid before both Houses of Parliament, if Parliament shall be then sitting, if not, within Seven Days after the assembling thereof; and no such Appointment of any such Master shall take place by such Lord Chief Justice or Lord Chief Baron until Ten Days after such Certificate shall have been so laid before both Houses of Parliament as aforesaid, any thing in this Act to the contrary notwithstanding.

The necessary Clerks and Messengers in the Masters Office to be appointed by the Masters;

a Preference being given to those Persons who are now employed in the said Courts.

XII. And be it further enacted, That from and after the said First Day of *January* One thousand eight hundred and thirty-eight the Masters of each of the said Courts hereby appointed, and their Successors, shall and may, in and for the Discharge of the Duties of their Offices, have so many Clerks and Messengers as the Lord Chief Justice or Lord Chief Baron of the Court for the Time being to which such Masters respectively belong shall determine to be necessary and proper; and all such Clerks and Messengers shall and may be appointed by the Majority of the Masters of the said Courts respectively, with the Sanction and Approval of the Lord Chief Justice or Lord Chief Baron of the Court to which such Masters shall belong: Provided always, that so many of the Persons who now hold any Office abolished by this Act, or are now employed therein, as may be needful, shall be appointed as such Clerks and Messengers, if they shall be found willing and competent to execute the Duties required of them, in preference to any Persons who shall not have held such abolished Offices or been so employed prior to the passing of this Act.

Appointments to be made without any pecuniary Consideration; the Masters during good Behaviour, and the Clerks and Messengers during Pleasure.

XIII. And be it further enacted, That all such Appointments of Masters, Clerks, or Messengers to be made by virtue of this Act shall be so made by the Lord Chief Justice or Lord Chief Baron, or by the Masters of the said Courts respectively, without any pecuniary or other Consideration whatsoever, directly or indirectly, to be paid or received for the same; and the Persons appointed or to be appointed as such Masters by virtue of this Act shall hold their Offices during the good Behaviour of the Persons so appointed; and the Persons to be appointed by virtue of this Act as such Clerks and Messengers shall hold their Offices or Situations during Pleasure; and all such Masters, Clerks, and Messengers shall execute their Duties in Person, and shall give their Attendance in Court or elsewhere,

where, and shall conduct the Business of their several Departments or Offices at such Places and Hours, whether in Term Time or Vacation, and in every respect in such Manner as the Lord Chief Justice or the Lord Chief Baron and the other Justices and Barons of the said Courts respectively shall from Time to Time order and direct.

XIV. Provided always, and be it further enacted, That if either of the said Masters shall from Sickness, or other unavoidable Cause, have Occasion to be absent from the Business of his Office for a longer Period than Two Months at any one Time, then and in every such Case it shall and may be lawful for the Lord Chief Justice or Lord Chief Baron for the Time being of the Court to which such Master shall belong to give Leave of Absence, by his Order in Writing, to such Officer, and, if necessary, to appoint a Deputy in his Place during such Time as shall be expressed in such Order, and the Name of such Deputy, and also the Cause and Time of such Absence, shall be stated in such Order; and such Deputy may, if Occasion require it, be changed by the Lord Chief Justice or Lord Chief Baron; and every Deputy so appointed shall be paid by the Principal for whom he shall act such Remuneration for his Services as the said Lord Chief Justice or Lord Chief Baron shall direct in such Order, not being in any Case less than One Third of the Amount herein-after fixed and settled as the Salary of the Office of a Master of the said Courts respectively.

In case of Sickness or other reasonable Cause the Duties of the Masters may be performed by Deputy.

XV. And be it further enacted, That no Person holding such Office of Master in any of the said Superior Courts, or being a Clerk or Messenger in any of the said Masters Offices, shall either directly or indirectly act as a Barrister, Attorney, or Solicitor, or as Agent of any Attorney or Solicitor, in any Court of Law or Equity in the United Kingdom, either separately or in Partnership with any other, during such Time as he shall hold such Office of Master or act as such Clerk or Messenger: Provided always, that nothing in this Act contained shall operate to prevent any Attorney or Solicitor, or Agent of any Attorney or Solicitor, now practising in any Court of Law or Equity, and employed in any Office abolished by this Act, and who may be appointed to act as Clerk or Messenger under this Act, from continuing to practise as such Attorney, Solicitor, or Agent, notwithstanding such Appointment.

Masters, Clerks, and Messengers not to act as Barristers, Attornies, or Agents.

XVI. And be it further enacted, That the Masters of the said Courts of Queen's Bench, Common Pleas, and Exchequer respectively shall receive, by way of Salary, for performing the Duties of their respective Offices, the Sum of One thousand two hundred Pounds *per Annum* each, to commence and be computed from the First Day of *January* One thousand eight hundred and thirty-eight, and to be paid and be payable quarterly, namely, on the Thirty-first Day of *March*, the Thirtieth Day of *June*, the Thirtieth Day of *September*, and the Thirty-first Day of *December* in every Year, together with a proportional Part of such annual Sum for the Term which at the Decease of the Person entitled thereto shall have elapsed since the last Payment thereof: Provided always, that those Per-

Salaries of the Masters fixed.

sons

11 G. 4. &
1 W. 4. c. 58.

sons appointed by this Act or who may be hereafter appointed as such Masters, and who are now entitled to and are in the Receipt of Compensation Allowance awarded to them under the Provisions of an Act passed in the Eleventh Year of the Reign of King George the Fourth and the First Year of the Reign of His said late Majesty, intituled *An Act for regulating the Receipt and future Appropriation of Fees and Emoluments receivable by Officers of the Superior Courts of Common Law*, exceeding the Salary of One thousand two hundred Pounds *per Annum*, shall continue to receive the full Amount of such Compensation Allowance by way of Salary so long as they shall respectively hold the Office of Master as aforesaid; and in Cases wherein the Compensation Allowance under the said Act is less than the Salary hereby granted to the Masters of the said Courts respectively, such Compensation Allowance shall merge and be considered as Part of and included in the said Salary of One thousand two hundred Pounds *per Annum*: Provided always, that nothing herein contained shall extend or be construed to extend to deprive *Stephen Richards, Kenrick Collett, Thomas Dax, Edmund Walker*, and *George Chilton*, Esquires, the present Principal Officers on the Plea Side of the Court of Exchequer, of the Amount of official Income and Salary which they are now in the Receipt of respectively, so long as they shall hold the Office of Masters under this Act, but that the said Persons shall continue in the Enjoyment of the same official Income by way of Salary which they now respectively receive during all the Time they respectively hold such Offices of Masters under this Act.

Salaries of
Clerks and
Messengers
to be fixed
by the Lord
Chief Justices
or Lord Chief
Baron of the
Courts re-
spectively
and the Lords
of the Treas-
ury.

XVII. And be it further enacted, That the Clerks and Messengers who shall be appointed as herein-before directed to discharge the Duties of the Offices of the Masters of the said Courts respectively shall receive by way of Salary for the Performances of the said Duties such annual Sum as the Lord Chief Justice or the Lord Chief Baron of the said Courts respectively, and the Commissioners of Her Majesty's Treasury, shall from Time to Time fix and determine, and such Salaries shall commence and be computed from the said First Day of *January* One thousand eight hundred and thirty-eight, and shall be paid and payable quarterly, namely, on the Thirty-first Day of *March*, the Thirtieth Day of *June*, the Thirtieth Day of *September*, and the Thirty-first Day of *December* in every Year, together with a proportional Part of such annual Sum for the Time which at the Decease of the Person entitled thereto shall have elapsed since the last Payment thereof: Provided always, that if any of the Persons appointed as Clerks or Messengers under the Provisions of this Act shall be entitled to and in the Receipt of Compensation Allowance awarded to them under the herein-before recited Act, which shall exceed the Amount of Salary fixed and determined as aforesaid, such Persons shall be entitled to and shall receive the full Amount of such Compensation Allowance by way of Salary so long as they shall respectively hold their Offices or Situations under this Act; and in Cases wherein such Compensation Allowance shall be less than the Amount of Salary so fixed and determined, the same shall merge and be considered as Part of and included in the said Salary.

XVIII. And

XVIII. And be it further enacted, That the Salaries and Compensation Allowances by way of Salary herein-before granted to the several Masters of the said Courts respectively, and also the Salaries and Compensation Allowances by way of Salary which shall and may be granted to the several Clerks and Messengers in the Offices of the Masters under the Provisions of this Act, together with the necessary and unavoidable Expences of the said Offices respectively, shall be paid and payable out of and be charged and chargeable upon the Fees received by the Masters in the said Courts respectively; and the Surplus of such Fees arising in each of the said Courts, after the Payment of the said Salaries and Expences, shall be paid into the Receipt of the Exchequer to the Credit of the Consolidated Fund of the United Kingdom of *Great Britain and Ireland*, at such Times and in such Manner as the Commissioners of Her Majesty's Treasury for the Time being shall think proper to direct; and in the Event of the Fees so received by the Masters of any one of the said Courts being at any Time insufficient to defray the said Salaries and other necessary Expences it shall be lawful for the said Commissioners of Her Majesty's Treasury, or any Three or more of them, and they are hereby authorized and required, to direct the Amount of such Deficiency to be charged upon and paid out of the said Consolidated Fund.

Salaries of Masters, &c. and Expences of Offices to be paid out of the Fees, if sufficient; but if not, Deficiency to be charged upon the Consolidated Fund; and Surplus of Fees to be paid into that Fund.

XIX. And be it further enacted, That if any Master of the said Courts respectively appointed or to be appointed under or by virtue of this Act, or any Person whatever employed in the Offices of the said Masters, shall for any thing done or pretended to be done relating to his Office or Employment, or under colour of doing any thing relating to his Office or Employment, or for forbearing to do any Act properly appertaining to his said Office, demand, take, receive, or accept, or allow any Person whatsoever to take for him or on his Account, or for or on account of or in trust for him or any other Person named by him, any Gratuity, Perquisite, or Reward, or any Thing of Value, other than the lawful Fees and Emoluments herein-before directed to be taken and received and accounted for as aforesaid, or other than the Salary or Remuneration allowed or to be allowed to every such Master or Person aforesaid, it shall be lawful for the said Lord Chief Justice or Lord Chief Baron of the Court to which such Master or Person shall belong, and he is hereby empowered and required, upon his being satisfied that the Person charged is guilty of so offending, to remove him from his Office or Employment; and the Person so removed shall be and is hereby rendered incapable for ever thereafter of holding any Office, Situation, or Employment in the said Courts respectively, or of otherwise serving Her Majesty, Her Heirs or Successors, in any Manner whatsoever.

Masters, Clerks, and Messengers not to take Gratuities on pain of Dismissal.

XX. And be it further enacted, That the Masters of the said Courts respectively shall cause all Fees received by them, and all Disbursements made thereout for Salaries and other necessary Expences, to be duly and regularly entered in One or more Books to be kept for that Purpose in their Offices, distinguishing the Fees received under their several Heads, and also the Particulars and Amount of

Masters to keep Books of Account, and render Accounts quarterly to Treasury.

every Disbursement; and shall quarterly, within One Month after the Thirty-first Day of *March*, the Thirtieth Day of *June*, the Thirtieth Day of *September*, and the Thirty-first Day of *December* in every Year, render a true and faithful Account in Writing to the Commissioners of Her Majesty's Treasury for the Time being of all such Fees and Disbursements, in such Form of Account, and with such Particulars of Receipt or otherwise, and accompanied by such Vouchers, as the said Commissioners shall from Time to Time think proper to require and direct; and if upon the Examination of any such Account it shall appear to the said Commissioners that any Fees have not been duly accounted for, or that any unreasonable or improper Charge or Deduction has been made in such Account, it shall be lawful for the said Commissioners finally to settle and adjust the same in such Way as they may think reasonable and proper, and the Masters of the said Courts by whom such Account shall have been rendered shall and they are hereby required to alter and amend the said Account accordingly: Provided always, that the Masters of the said Courts respectively shall submit their Books of Account to the Inspection of the said Commissioners of Her Majesty's Treasury, or any Person or Persons whom they may employ for that Purpose, whenever the said Masters shall be required so to do.

Allowance to
Masters and
other Officers
on their
Retirement
from Office.

XXI. And be it further enacted, That every Person appointed or to be appointed under the Provisions of this Act as a Master of the said Courts respectively, or as a Clerk or Messenger in the Offices of any of such Masters, and who was entitled to and has received Compensation or Salary in respect of the Office formerly held by him under the Act herein-before mentioned passed in the Eleventh Year of the Reign of King *George* the Fourth and the First Year of the Reign of His said late Majesty, or under that Act and any other Act or Acts of Parliament regulating or relating to his Office or Situation, who shall hereafter resign his Office or Situation, giving Two Months Notice in Writing of such Resignation to the Lord Chief Justice or Lord Chief Baron of the Court to which he shall belong, shall be entitled to receive, during his Life, such annual Sum as the Commissioners of Her Majesty's Treasury shall think proper to fix and appoint, not exceeding in any Case the net annual Value of the Office or Situation formerly held by him, and not being less in any Case than Three Fourths thereof, provided that such annual Sum shall exceed the Superannuation Allowance to be ascertained as herein-after mentioned; and every Person appointed or to be appointed to any Situation as aforesaid under this Act, where such annual Sum shall amount to a less Sum than the Superannuation Allowance to be ascertained as herein-after mentioned, or who was not entitled to and has not received Compensation in respect of any former Office held by him under the Provisions of the said Act, and who shall hereafter resign his Office or Situation with the Sanction and under the Authority of the Lord Chief Justice or Lord Chief Baron of the Court to which he shall belong in consequence of his being incapable, from Infirmary of Mind or Body, to discharge the Duties thereof, shall be entitled to receive such Superannuation Allowance as the said Commissioners of Her Majesty's Treasury shall

shall think proper to direct; and in ascertaining and awarding the Amount of such Superannuation Allowance the said Commissioners shall take into consideration the whole Period during which any such Person shall have been permanently employed in any Office or Situation in either of the said Courts, or in any other public Office or Situation prior to the passing of this Act, and shall proceed according to the Principles laid down by an Act passed in the Fourth and Fifth Years of the Reign of His said late Majesty, intituled *An Act to alter, amend, and consolidate the Laws for regulating the Pensions, Compensations, and Allowances to be made to Persons in respect of their having held Civil Offices in His Majesty's Service*; and all such Sums and Allowances which shall be so awarded and granted under the Authority aforesaid shall be paid and payable and be charged and chargeable in the same Way as is herein-before provided in respect of the Salaries of the Masters, Clerks, and Messengers of the said Courts respectively, and the necessary Expences of the said Offices.

XXII. Provided always, and be it further enacted, That in the Event of any Reduction being hereafter made in the Number of the Masters, Clerks, or Messengers created or authorized by this Act, the Lord Chief Justice, Lord Chief Baron, and Masters of the said Courts respectively for the Time being shall not be entitled to Compensation for the Loss of any Right of Appointment vested in them or either of them by virtue of this Act.

XXIII. And whereas it would tend to the Despatch of Business, and would assimilate the Practice and promote Uniformity in the Allowance of Costs, if the Masters of the said Courts appointed or to be appointed under this Act were empowered to tax Costs which have arisen or may arise in each of the said Courts indiscriminately; be it therefore enacted, That, from and after the First Day of January One thousand eight hundred and thirty-eight, the Masters of the said Courts appointed or to be appointed as aforesaid are hereby authorized, empowered, and required, subject to such Rules and Orders as herein-after mentioned, to tax all Bills of Costs indiscriminately which shall have arisen or which may arise in Cases of a Civil Nature in any of the said Courts, or in the Court of Error in the Exchequer Chamber, although such Costs may not have arisen in respect of Business done in the Court to which such Masters may belong; and the Judges of the said Courts, or any Eight or more of them, of whom the Chiefs of each of the said Courts shall be Three, shall and they are hereby required, by any Rule or Order to be from Time to Time made either in Term or Vacation, to establish such Regulations as may be necessary for the Purpose of enforcing Uniformity of Practice in the Allowance of Costs in the Common Law Courts, and of ensuring as far as may be practicable an equal Division of the Business of Taxation amongst the Masters of the said Courts; and such Judges shall appoint some convenient Place in which the said Business of Taxation shall be transacted for all the said Courts.

XXIV. And

Treasury empowered to grant Compensation to certain Persons for the Loss of the Sale of and Appointment to Offices abolished by this Act.

6 G. 4. c. 82.

6 G. 4. c. 83.

XXIV. And whereas by an Act passed in the Sixth Year of the Reign of His Majesty King George the Fourth, intituled *An Act to abolish the Sale of Offices in the Court of King's Bench in England, to make Provision for the Lord Chief Justice of the said Court, and to grant an additional Annuity to the said Lord Chief Justice on Resignation of his Office*, it was recited, that the several Offices of Clerk of the Rules on the Plea Side, Clerk of the Papers on the Plea Side, Clerk of the Declarations, Clerk of the Common Bails, Estreats, and Postea's, and Clerk of the Dockets, all in the Court of King's Bench, were in the Gift of the Chief Clerk of the said Court, and were deemed to be saleable by him; and also that the Offices of the Clerks of the Inner and Outer Treasury, Clerks of Nisi Prius in London and other Cities, and on the several Circuits, and Bagbearer on the Plea Side, also in the Court of King's Bench, were in the Gift of the Custos Brevium of the said Court, and were deemed to be saleable by him, and that it was expedient to abolish the Sale of such Offices, without Prejudice however to the Rights of any of the Persons then holding the same, or having the Right of Appointment thereto: And whereas by another Act passed in the Sixth Year of the Reign of His said Majesty King George the Fourth, intituled *An Act to abolish the Sale of Offices in the Court of Common Pleas in England, to make Provision for the Lord Chief Justice of the said Court, and to grant an additional Annuity to the said Lord Chief Justice on Resignation of his Office*, it was recited that the Offices of Second Prothonotary and Clerk of the Juries were appointed by the Lord Chief Justice on the Nomination of the Custos Brevium, and that each of the Three Prothonotaries of the said Court had the Appointment of One Secondary, and such Rights of Appointments were continued to the Persons then in Possession of the said Offices of Custos Brevium and Prothonotaries respectively: And whereas the Persons who were so respectively declared by the said recited Acts to be in Possession of the Right of Sale, Nomination, or Appointment in and to the several Offices mentioned in the said Acts are still possessed of and have continued to exercise the said Rights: And whereas the Office of Signer of the Writs in the Court of Queen's Bench is also in the Gift, Nomination, or Appointment of the Chief Clerk of the said Court: And whereas all the said Offices will be abolished by this Act, and it is only just and reasonable that Provision should be made for granting Compensation upon equitable Principles for all Injury to or Loss of the same; be it further enacted, That if since the said Twenty-fourth Day of May One thousand eight hundred and thirty any Party or Parties shall, in the Exercise of any such Right, have been nominated or appointed to any Office or Offices so declared to be the Subject of such Right, or if any such Office shall be now vacant by Death, or the Party now holding any such Office shall hereafter die, it shall and may be lawful for the Person or Persons possessed as aforesaid of the Right of Sale, Nomination, or Appointment in and to such Office or Offices respectively, or to whom but for this Act such Right would have come by virtue of any Interest now vested, except as regards Compensation for the Interest to which any such Instrument as herein-after mentioned shall relate, or for the Person or Persons in whose Favour any such Right may have been

been exercised, to apply to the Lord High Treasurer or the Commissioners of Her Majesty's Treasury for Compensation for the Loss of the aforesaid Right of Sale, Nomination, or Appointment in and to such Office or Offices respectively, or for any Injury affecting such Office or Offices, or for the Loss of such Office or Offices by the Abolition thereof under this Act; and in every such Case the said Lord High Treasurer or any Three of the Commissioners of Her Majesty's Treasury shall forthwith examine into such Application by all and every such Means as he or they shall think proper; and thereupon it shall and may be lawful for him or them and they are hereby required to order and direct, by Warrant under his or their Hands, that such annual or gross Sum by way of Compensation shall be paid to or to the Use of such Person or Persons, and at such Time or Times respectively as the said Lord High Treasurer or the said Commissioners of Her Majesty's Treasury shall in his or their Discretion deem just and equitable, regard being had to the Value of such Offices as ascertained and certified under the Provisions of the aforesaid Act of the Eleventh Year of the Reign of King *George* the Fourth and the First Year of the Reign of His said late Majesty; and all such Compensations, whether annual or in gross, shall be issued and paid and payable (without any Fee or Deduction whatsoever) out of and be charged and chargeable upon the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*: Provided always, that if upon the Death of any of the Officers now holding for Life any of the Offices abolished by this Act, any Person shall be able to prove to the Satisfaction of the Lord High Treasurer or Commissioners of Her Majesty's Treasury for the Time being, that he would in such Event have been entitled, under any Instrument of a Date prior to the said Twenty-fourth Day of *May* One thousand eight hundred and thirty, to be appointed to succeed to such Office if the same had not been abolished by this Act, it shall be lawful for the Lord High Treasurer or Commissioners of Her Majesty's Treasury for the Time being to award Compensation to such Person upon equitable Principles, having regard to all the Circumstances of the Case; and such Compensation, when awarded, shall be payable out of the Consolidated Fund in manner aforesaid: Provided also, that an Account of all Compensations granted shall, within Fourteen Days next after the same shall have been granted as aforesaid, be laid before the Commons House of Parliament, if Parliament shall be then assembled, or if Parliament shall not be then assembled, then, within Fourteen Days after the Meeting of Parliament then next following: Provided also, that all the lawful Powers and Authorities by which the said Commissioners of Her Majesty's Treasury are authorized to purchase any of the Offices, Rights, or Interests in this or any other Act mentioned or referred to, shall continue in full Force and Effect, notwithstanding the Abolition of the said Offices, Rights, or Interests by this or any other Act or Acts.

XXV. And whereas by the Act herein-before recited, passed in the Eleventh Year of the Reign of King *George* the Fourth and First Year of the Reign of His said late Majesty, certain Officers belonging to the Superior Courts of Common Law, who were appointed

Treasury empowered to grant Compensation to certain Officers prior.

ficers of the
Court of
Common
Pleas who
were in Office
prior to 24th
May 1830.

prior to the Twenty-fourth Day of *May* One thousand eight hundred and thirty, are entitled to receive Compensation for any Loss thereafter sustained by them in their Fees and Emoluments in consequence of the Amendments and Alterations in the Process, Practice, Pleadings, and other Proceedings of the said Courts: And whereas by another Act passed in the First and Second Years of the Reign of His said late Majesty, to explain and amend the same Act, the Warden of the *Fleet* Prison was declared to be within the true Intent and Meaning of the said first-mentioned Statute, but no Provision was made for the several Persons holding the Offices of Clerk of the Papers in the said Prison, and the Tipstiffs of the Court of Common Pleas, who were severally appointed to their Offices by the said Warden prior to the said Twenty-fourth Day of *May* One thousand eight hundred and thirty: And whereas the Clerk of the Papers at the Queen's Bench Prison, and the Tipstiffs of the Court of Queen's Bench, have been and now are compensated under the Provisions of the said first-recited Act, and it is only just and reasonable that the same Description of Officers in the Court of Common Pleas, whose Duties and Emoluments are similar in their Nature to those attached to the Court of Queen's Bench, should be placed upon the same Footing; be it therefore enacted, That the Commissioners of Her Majesty's Treasury shall ascertain the gross and net annual Value of the Offices of the said Clerk of the Papers at the Fleet Prison, and the Tipstiffs of the Court of Common Pleas respectively, according to a fair Average of the lawful Fees and Emoluments of such Offices for a Period of Ten Years next preceding the Twenty-fourth Day of *May* One thousand eight hundred and thirty, or such other Average of Years as the said Commissioners may think proper, and according to the same Rules and Principles as were adopted by the Commissioners in ascertaining the Value of other Offices in the Superior Courts of Common Law under the Provisions of the said recited Acts; and in case the net Amount of the Fees and Emoluments actually received by either of the said Officers has in any Year, since the said Twenty-fourth Day of *May* One thousand eight hundred and thirty, fallen short, or shall hereafter fall short of the net annual Value of their Offices as aforesaid, every such Officer shall be entitled to receive from and after the said Twenty-fourth Day of *May*, and so long as he or they shall continue in Office, from the Lord High Treasurer or Commissioners of Her Majesty's Treasury, the full Amount of the Difference between the net Sum actually received by such Officer and the net Value of his Office; and the Amount so to be paid shall be charged and chargeable and be paid and payable out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, in the same Way as other Officers belonging to the Superior Courts of Common Law are now paid; and in case the net Amount of the lawful Fees and Emoluments actually received by either of the said Officers in any Year since the said Twenty-fourth Day of *May* has exceeded or shall hereafter exceed the net annual Value of their Offices ascertained as aforesaid, the Surplus shall be paid into the Receipt of the Exchequer, to the Credit of the Consolidated Fund, at such Times and in such Manner as the said Commissioners of Her Majesty's Treasury shall think proper to direct.

XXVI. And be it further enacted, That the Provisions and Powers contained in the before-recited Act passed in the Eleventh Year of the Reign of King George the Fourth and the First Year of the Reign of His late Majesty, intituled *An Act for regulating the Receipt and future Appropriation of Fees and Emoluments receivable by Officers of the Superior Courts of Common Law*, shall, so far as the same is applicable, extend to all Cases in which any Office shall be abolished by the Authority of this or any subsequent Act, and the Person, his Heirs, Executors, or Administrators, who in case such Office were not abolished would, under the Provisions of the last-recited Act, have been entitled to receive the Difference between the net Amount of the Fees and Emoluments which would have become due in such Office and the certified Value thereof, or who under that Act and any other Act or Acts of Parliament relating to his Office or Situation would have been entitled to receive any Compensation, Salary, or official Income, shall be entitled, from the Time of the Abolition of such Office, to receive the full Amount of such certified Value, Compensation, Salary, or official Income in Four equal quarterly Payments, on the Fifth Days of *April, July, and January*, and the Tenth Day of *October* in each Year, to be paid and payable out of the Consolidated Fund of the United Kingdom, without any Fee or Deduction whatsoever, until a full and fair Compensation shall have been fixed and appointed for such Person under the Powers and Provisions of the said recited Act; and when such Compensation shall have been so fixed and appointed for such abolished Office, the same shall be in like Manner a Charge upon and shall be paid out of the said Consolidated Fund, without any Fee or Deduction whatever, by such equal quarterly Payments as last aforesaid, together with a proportional Part of such annual Sum for the Time which at the Decease of the Person entitled thereto shall have elapsed since the last Payment thereof.

Persons whose Offices are abolished to receive full Amount of Compensation under 11 G. 4. & 1 W. 4. c. 58. until the Treasury shall otherwise determine under the Provision of that Act.

XXVII. Provided always, and be it enacted, That in fixing the Amount of Compensation to be awarded under the said last-recited Act due regard shall be had to the different Circumstances of the several Offices abolished by this Act, and to the Nature and Extent of the Duties from which the Persons holding certain of such Offices will be relieved by the Abolition thereof.

In fixing Compensation regard to be had to the Nature of the Offices abolished.

XXVIII. And whereas by an Act passed in the Seventh Year of the Reign of Her Majesty Queen Anne, intituled *An Act for the public registering of Deeds, Conveyances, and Wills, and other Incumbrances, which shall be made of or shall affect any Honors, Manors, Lands, Tenements, or Hereditaments within the County of Middlesex, after the Twenty-ninth Day of September One thousand seven hundred and nine*, and by another Act passed in the Twenty-fifth Year of the Reign of His Majesty King George the Second, intituled *An Act for appointing the Deputy or Secondary of the Chief Clerk to enrol Pleas in the King's Bench, called the Master of the King's Bench Office*, One of the Registers or Masters for the Inrolment of Deeds, Wills, and other Conveyances in the County of Middlesex, in the Place and Stead of such Chief Clerk, it is provided that the Clerk of the Warrants in the Court of Common Pleas, and the Master

Clerk of the Warrants in Court of Common Pleas and Master or Secondary of the Court of Queen's Bench continued in the Office of Registers of Deeds in Middlesex, notwithstanding the Abolition of

their Offices
in the Courts
at Law.

ter or Secondary of the Court of King's Bench, for the Time being, shall be Two of the Officers for executing the Duties of Registers and Masters for the Matters and Things in the said first-recited Act contained: And whereas the said Offices of Clerk of the Warrants in the Court of Common Pleas and the Master or Secondary of the Court of Queen's Bench will be abolished by this Act, and Doubts may arise whether those Officers can any longer continue legally to execute the Duties of such Registers and Masters as aforesaid; be it therefore enacted, That nothing in this Act contained shall extend or be construed to extend to abolish the Office of Registers or Masters for the Inrolment of Deeds, Wills, and other Conveyances in the County of *Middlesex*, or for any other Matters or Things in the said first-recited Act contained, or to deprive any of the Persons now holding such Office of Registers or Masters of that Office, and that such Persons shall and may henceforth, and until otherwise provided for by Law, continue to hold and enjoy such Office, and execute all the Powers and Duties appertaining thereto, in the same Manner to all Intents and Purposes as if this Act had not been passed; and if the Clerk of the Warrants in the Court of Common Pleas, or the Master or Secondary of the Court of Queen's Bench, abolished by this Act, and who now hold the Office of such Registers or Masters as aforesaid, shall die or resign, or otherwise be discharged from the Office of Registers or Masters, it shall be lawful for the Lords Chief Justices of the Courts of Queen's Bench and Common Pleas for the Time being, until otherwise directed by Parliament, to nominate and appoint some fit and proper Person to fill the Office of such Register or Master, such Person being a Master in one of the said Superior Courts of Common Law at *Westminster*, or a Barrister or an Attorney in the same in actual Practice of not less than Five Years standing, in the Place or Stead of the Person so dying, resigning, or being discharged from such Office; and the Person so nominated and appointed by the Lords Chief Justices as aforesaid shall, previously to his entering upon or executing such Office, take such Oath or Oaths, and afterwards execute such Office, and the Powers and Duties appertaining thereto, in the same Manner to all Intents and Purposes as the Persons executing the same would by Law be required and authorized to take and execute if this Act had not been passed.

Act may be
altered this
Session.

XXIX. And be it further enacted, That this Act may be amended, altered, or repealed by any Act to be passed during the present Session of Parliament.

SCHEDULES to which the foregoing Act refers.

SCHEDULE (A.)

OFFICES abolished by this Act from and after the First Day of July
One thousand eight hundred and thirty-seven.

On the Plea Side of the Court of Queen's Bench :

The Office of

The Chief Clerk.

Secondary or Master of the Queen's Bench Office.

Clerk of the Rules.

Clerk of the Papers.

Clerk of the Docquets and Judgments.

Signer of the Writs.

Clerk of the Declarations.

Clerk of the Common Bails or Appearances, Estreats and
Posteas.

Custos Brevium et Recordorum.

Clerk of the Inner and Upper Treasuries.

Clerk of the Outer Treasury.

• Clerks of the Nisi Prius for London, Middlesex, and the
several Circuits in England and Wales.

Bagbearer to the Custos Brevium.

Clerk of the Errors.

Filacer, Exigenter, and Clerk of the Outlawries.

Signer of the Bills of Middlesex.

In the Court of Common Pleas :

The Office of •

The Custos Brevium.

Prothonotaries.

Secondaries.

Clerk of the Judgments.

Clerk of the Reversals of Outlawries.

Clerk of the Docquets.

Clerk of the Warrants, Enrolments, and Estreats.

Clerk of the Essoigns.

Clerk of the Treasury.

Clerk of the Jurata.

Treasury Keeper.

Clerk of the Juries.

Clerk of the Errors.

• Filacers for the several Counties, Cities, and Towns in
England and Wales.

Exigenter and Clerk of the Supersedeas.

Clerk of the Outlawries.

On the Plea Side of the Court of Exchequer :

The Office of
 The Masters and Prothonotaries.
 Clerk of the Rules.
 Filacer.
 Clerk of Errors.
 Clerk of the Pleas.

SCHEDULE (B.)

PERSONS appointed by this Act as the Masters of the Superior Courts of Common Law.

The Five Masters on the Plea Side of the Court of Queen's Bench, namely :—

Thomas Le Blanc, Esquire.
 Fortunatus Dwaris, Esquire.
 Sir Archer Denman Croft, Baronet.
 Richard Goodrich, Esquire.
 James Bunce, Esquire.

The Five Masters of the Court of Common Pleas ; namely :—

Henry Belward Ray, Esquire.
 Alexander Atherton Park, Esquire.
 John Henry Cancellor, Esquire.
 Edward Griffith, Esquire.
 Edward Robert Porter, Esquire.

The Five Masters on the Plea Side of the Court of Exchequer ; namely :—

Thomas Dax, Esquire.
 Kenrick Collett, Esquire.
 Edmund Walker, Esquire.
 Stephen Richards, Esquire.
 George Chilton, Esquire.

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 Printers to the Queen's most Excellent Majesty. 1837.



ANNO PRIMO

VICTORIÆ REGINÆ.

C A P. XXXI.

An Act for continuing Military Commissions and
Commissions in the Royal Marines in force
notwithstanding the Demise of the Crown.

[12th *July* 1837.]

WHEREAS great Inconvenience has arisen on occasion of
the Demise of the Crown from the Necessity of renewing
all Military Commissions under the Royal Sign Manual:
Be it therefore enacted by the Queen's most Excellent Majesty, by
and with the Advice and Consent of the Lords Spiritual and Tem-
poral, and Commons, in this present Parliament assembled, and by
the Authority of the same, That all Commissions of Military
Officers and Officers of the Royal Marines signed by His late
Majesty King *William* the Fourth shall be and continue in force,
notwithstanding the Demise of His said late Majesty, until cancelled
by Direction of Her Majesty, Her Heirs and Successors; and that
upon any future Demise of the Crown all Commissions in the Army
and Royal Marines then in force shall continue in force until
cancelled by Direction of the succeeding King or Queen of this
Realm: Provided always, that nothing in this Act contained shall
be construed to deprive Her Majesty, Her Heirs and Successors, of

Military
Commissions
to continue
in force
notwith-
standing the
Demise of
the Crown.

the Power of removing and discharging any Person from any such Employment or Commission held by him in like Manner as might by Law have been done if this Act had not been passed.

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ANNO PRIMO

VICTORIÆ REGINÆ.

C A P. XXXII.

An Act to repeal the several Laws relating to the
Post Office. [12th July 1837.]

WHEREAS the Laws of the Post Office, by reason of successive Additions and Alterations, have become intricate, it is expedient that new Enactments should be substituted, exhibiting more plainly and compendiously the Provisions thereof: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the several Acts and Parts of Acts set forth in the Schedule (A.) hereto annexed, so far as the same shall be in force at the Commencement of this Act, are hereby repealed; nevertheless no Act or Part of an Act repealed by any of the Acts hereby repealed shall be revived by the passing of this Act; and no Act or Part of an Act perpetuated or continued by any of the Acts hereby repealed (except such as are herein expressly repealed) shall be repealed by the passing of this Act; and, notwithstanding the Repeal of the Acts hereby repealed, all Acts which might have been done, and all Proceedings which might have been taken or prosecuted relating to any Offences which shall have been committed, or to any Matters which shall have happened, or to any Monies which shall have become due, or to any Fines or Penalties which shall have been incurred, before the Day on which this Act shall come into operation, may still be done or prosecuted,

Acts and
Parts of
Acts in Sche-
dule (A.)
repealed.

and the Offences may be dealt with and punished, and the Monies may be recovered and dealt with, and the Fines and Penalties may be enforced and applied, as if the Acts hereby repealed continued in force.

All Acts
and Parts
of Acts re-
lating to the
Post Office
repealed,
except those
in Schedule
(B.)

II. And in order that no Doubt should remain whether any, or what, if any, former Acts relating in any way to the Post Office continue in force; be it enacted, That all Acts and Parts of Acts relating to the Revenue of the Post Office, or relating to the Management of the Business of the Post Office, or relating to the Privilege of sending and receiving Letters free of Postage or at a reduced Rate of Postage, or relating to Offences against the Post Office, which are punishable specifically by the Post Office Laws, shall be hereby repealed so far as such Acts shall be in force at the Commencement of this Act, save such Acts and Parts of Acts as are mentioned in the Schedule (B.) hereunto annexed, and also save all other Acts expressly made for other Purposes, although they incidentally touch on Matters relating to the Post Office, or although the Provisions thereof are to be carried into effect by Officers of the Post Office; nevertheless such Matters and Provisions last mentioned, so far as they are repugnant to or inconsistent with the Post Office Acts in force at the Time, shall be in all respects controlled by such Post Office Acts, unless the contrary shall have been expressed in such other Acts.

Interpreta-
tion Clause.

1 Vit. c. 36.

III. And be it enacted, That all the Provisions of this Act shall be construed according to the respective Interpretations of the Terms and Expressions contained in an Act passed in the present Session, intituled *An Act for consolidating the Laws relative to Offences against the Post Office of the United Kingdom, and for regulating the judicial Administration of the Post Office Laws, and for explaining certain Terms and Expressions employed in those Laws*, so far as those Interpretations are not repugnant to the Subject or inconsistent with the Context of such Provisions.

Commence-
ment of Act.

IV. And be it enacted, That this Act shall come into operation on the First Day of August One thousand eight hundred and thirty-seven.

Act may be
altered.

V. And be it enacted, That this Act may be repealed or altered during the present Session of Parliament.

SCHEDULES to which the foregoing Act refers.

SCHEDULE (A.)

Containing a Description of the Acts and Parts of Acts repealed by this Act.

Date of Act.	Title.	Extent of Repeal.
First Parliament William & Mary, Sess. 3. c. 3.	An Act against robbing of the Packet.	The whole.
9 Anne, c. 10.	An Act for establishing a General Post Office for all Her Majesty's Dominions, and for settling a weekly Sum out of the Revenues thereof for the Service of the War, and other Her Majesty's Occasions.	The whole, except so far as relates to the Payment and Appropriation of the weekly Sum of Seven hundred Pounds thereby directed to be paid into the Receipt of the Exchequer, and as relates to Her Majesty's Hereditary Revenue, and except all Annuities and other Payments and Incumbrances to which the Revenue of the Post Office is thereby made liable, and except so far as relates to the Interference with or Participation in Elections of Members of Parliament by Officers of the Post Office.
6 G. 1. c. 21.	An Act for preventing Frauds and Abuses in the Public Revenues of Excise, Customs, Stamp Duties, Post Office, and House Money.	So much as relates to the Post Office.
4 G. 2. c. 33.	An Act for obviating a Doubt which hath arisen concerning the usual Allowance made upon the Delivery of Letters sent by the Penny Post to Places out of the Cities of London and Westminster and Borough of Southwark, and the respective Suburbs thereof.	The whole.
22 G. 2. c. 25.	An Act to explain and amend so much of an Act made in the Ninth Year of the Reign of Queen Anne, intituled "An Act for establishing a General Post Office for all Her Majesty's Dominions, and for settling a weekly Sum out of the Revenues thereof for the Service of the War and other Her Majesty's Occasions," as relates to Horses or Furniture to be let to Persons riding Post.	The whole.

Date of Act.	Title.	Extent of Repeal.
26 G. 2. c. 13.	An Act for the more effectually preventing the fraudulent Removal of Tobacco by Land or Water, and for the Ease of the fair Trader in Tobacco; and for ascertaining the Rates payable for the Portage of certain Letters; and for amending and explaining the Laws relating to the Sale of Spirituous Liquors by Retail.	So much as relates to the Post Office.
4 G. 3. c. 24.	An Act for preventing Frauds and Abuses in relation to the sending and receiving of Letters and Packets free from the Duty of Postage.	The whole.
5 G. 3. c. 25.	An Act to alter certain Rates of Postage, and to amend, explain, and enlarge several Provisions in an Act made in the Ninth Year of the Reign of Queen Anne and in other Acts relating to the Revenue of the Post Office.	The whole, except so much thereof as relates to the Postage on Letters and Packets conveyed by the Post within the British Dominions in America and the West Indies, and to any Felony or other Offence committed within such Dominions.
7 G. 3. c. 50.	An Act for amending certain Laws relating to the Revenue of the Post Office, and for granting Rates of Postage for the Conveyance of Letters and Packets between Great Britain and the Isle of Man, and within that Island.	The whole, except so much thereof as relates to any Felony or other Offence committed within the British Dominions in America and the West Indies.
9 G. 3. c. 35.	An Act for discontinuing upon the Exportation of Iron imported in Foreign Ships the Drawback of such Part of the Duties payable thereon as exceeds the Duties payable on Iron imported in British Ships; to prohibit the Exportation of Pig and Bar Iron and certain Naval Stores, unless the Pre-emption thereof be offered to the Commissioners of the Navy; to repeal so much of an Act made in the Sixth Year of His present Majesty's Reign as discontinued the Drawback upon Foreign rough Hemp exported; for providing a Compensation to the Clerks in the Offices of the Principal Secretaries of State for the Advantages such Clerks enjoyed before the Commencement of an Act made in the Fourth Year of the Reign of His present Majesty for preventing Frauds and Abuses in relation to the sending and receiving Letters and Packets free from the Duty of Postage, and to explain and amend the said Act.	So much as relates to the Post Office, except so much thereof as directs the Payment out of the Revenues of the Post Office of the annual Sum of Fifteen hundred Pounds to or for the Use of the Clerks in the Offices of Her Majesty's Principal Secretaries of State.

Date of Act.	Title.	Extent of Repeal.
22 G. 3. c. 70.	An Act to enable the Commander in Chief of His Majesty's Forces and the Secretary to the Commander in Chief of His Majesty's Forces to send and receive Letters and Packets free from the Duty of Postage.	The whole.
23 G. 3. c. 69.	An Act to enable the Adjutant General of His Majesty's Forces and the Comptrollers of Army Accounts to send and receive Letters and Packets free from the Duty of Postage.	The whole.
23 & 24 G. 3. c. 17. (Irish Act.)	An Act for establishing a Post Office within this Kingdom.	The whole.
24 G. 3. c. 6.	An Act for establishing certain Regulations concerning the Portage and Conveyance of Letters and Packets by the Post between Great Britain and Ireland.	The whole.
24 G. 3. c. 8. Sess. 2.	An Act for establishing certain Regulations concerning the Portage and Conveyance of Letters and Packets by the Post between Great Britain and Ireland.	The whole.
24 G. 3. c. 37. Sess. 2.	An Act for granting to His Majesty certain additional Rates of Postage for Conveyance of Letters and Packets by the Post within the Kingdom of Great Britain; for preventing Frauds in the Revenue carried on by the Conveyance of certain Goods in Letters and Packets; and for further preventing Frauds and Abuses in relation to the sending and receiving of Letters and Packets free from Postage.	The whole, except so far as relates to the Payment and Appropriation of the weekly Sum of Two thousand three hundred Pounds thereby directed to be paid into the Receipt of the Exchequer, and as relates to the Hereditary Revenue.
25 G. 3. c. 57.	An Act to exempt Carriages carrying the Mail from paying Tolls at any Turnpike Gate in Great Britain.	The whole.
25 G. 3. c. 60.	An Act for granting to His Majesty a certain Sum of Money out of the Sinking Fund, and for applying certain Monies therein mentioned for the Service of the Year One thousand seven hundred and eighty-five, and for further appropriating the Supplies granted in this Session of Parliament; and for providing a Compensation to the Clerks in the Offices of the Principal Secretaries of State for the Advantage such Clerks enjoyed before the Commencement of an Act made in the Twenty-fourth Year of the Reign of His present	So much as relates to the Post Office, except so much thereof as respects the Payment out of the Revenues of the Post Office of an annual Sum of One thousand Pounds to or for the Use of the Clerks in the Offices of Her Majesty's Principal Secretaries of State.

Date of Act.	Title.	Extent of Repeal.
	Majesty, for establishing certain Regulations concerning the Portage and Conveyance of Letters and Packets by the Post between Great Britain and Ireland.	
27 G. 3. c. 9.	An Act for granting Rates of Postage for the Conveyance of Letters and Packets between Great Britain and the Port of Waterford in the Kingdom of Ireland, by way of Milford Haven.	The whole.
28 G. 3. c. 13. (Irish Act.)	An Act to explain and amend an Act passed in the Twenty-third and Twenty-fourth Years of His present Majesty's Reign, intituled "An Act for establishing a Post Office within this Kingdom."	The whole.
33 G. 3. c. 60.	An Act to enable the Postmaster General to send the Mail to the Dominions of His Catholic Majesty on board of any Vessels authorized by His Catholic Majesty to carry the same.	The whole.
34 G. 3. c. 17.	An Act for regulating the Portage and Conveyance of Letters by the Carriage called the Penny Post.	The whole.
34 G. 3. c. 18.	An Act for granting Rates of Postage for the Conveyance of Letters and Packets between Great Britain and the Islands of Jersey and Guernsey, and within those Islands.	The whole.
35 G. 3. c. 53.	An Act for further regulating the sending and receiving Letters free from the Duty of Postage; for allowing Non-commissioned Officers, Seamen, and Private Men in the Navy and Army, whilst on Service, to send and receive Letters at a low Rate of Postage; and for permitting Patterns and Samples of Goods to be transmitted by the Post at an easier Rate than is now allowed by Law.	The whole.
36 G. 3. c. 7. (Irish Act.)	An Act to further explain and amend an Act passed in the Twenty-third and Twenty-fourth Years of His present Majesty's Reign, intituled "An Act for establishing a Post Office within this Kingdom;" and also to explain and amend an Act passed in the Twenty-eighth Year of His present Majesty's Reign, intituled "An Act to explain and amend an Act passed	The whole.

Date of Act.	Title.	Extent of Repeal.
	in the Twenty-third and Twenty-fourth Years of His present Majesty's Reign, intituled "An Act for establishing a Post Office within this Kingdom."	
37 G. 3. c. 18.	An Act for altering certain Rates of Postage for Conveyance of Letters in England and Scotland respectively, and of Packets to and from Great Britain, from and to Portugal and the British Colonies in America respectively; and for setting apart at the Receipt of the Exchequer, for a certain Period, out of the Revenues of the Post Office, the annual Sum of Forty thousand Pounds towards defraying the increased Charge occasioned by any Loan raised or Stock created by any Act or Acts passed in the Thirty-fifth Year of the Reign of His present Majesty.	The whole, except so much thereof as relates to the Application of the Revenue of the Post Office.
38 G. 3. c. 47. (Irish Act.)	An Act for the further Amendment of the Acts relating to the Post Office, and for further facilitating Prosecutions under the said Acts.	The whole.
39 G. 3. c. 76.	An Act for the more secure Conveyance of Ship Letters, and for granting to His Majesty certain Rates of Postage thereon.	The whole.
40 G. 3. c. 8. (Irish Act.)	An Act for granting to His Majesty, His Heirs and Successors, certain Duties and Rates upon the Portage and Conveyance of all Letters and Packets within this Kingdom.	The whole.
41 G. 3. c. 7.	An Act for repealing the Rates and Duties of Postage in Great Britain, and granting other Rates and Duties in lieu thereof, and on Letters conveyed to or from any Part of the United Kingdom from or to any Place out of the said Kingdom, and by Packet Boats from or to the Ports of Holyhead and Milford Haven.	The whole.
42 G. 3. c. 63.	An Act to authorize the sending and receiving of Letters and Packets, Votes, Proceedings in Parliament, and printed Newspapers by the Post free from the Duty of Postage by the Members of the Two Houses of Parliament of the United Kingdom, and by certain public Officers therein named; and for reducing the	The whole.

Date of Act.	Title.	Extent of Repeal.
	Postage on such Votes, Proceedings, and Newspapers when sent by any other Persons.	
42 G. 3. c. 81.	An Act for amending so much of an Act passed in the Seventh Year of the Reign of His present Majesty as relates to the secreting, embezzling, or destroying any Letter or Packet sent by the Post; and for the better Protection of such Letters and Packets; and for more effectually preventing Letters and Packets being sent otherwise than by the Post.	The whole.
42 G. 3. c. 101.	An Act for repealing the Rates and Duties of Postage upon Letters to and from France and the Batavian Republic from and to London, and for granting other Rates and Duties in lieu thereof; and for exempting from the Duty of Tonnage the Ships and Vessels to be employed in conveying the Mails of Letters from France to the United Kingdom of Great Britain and Ireland.	The whole.
43 G. 3. c. 28.	An Act for granting to His Majesty certain Rates and Duties upon Letters and Packets sent by the Post within Ireland.	The whole.
43 G. 3. c. 31.	An Act for establishing certain Regulations in the Office of Surveyor General of His Majesty's Woods, Forests, Parks, and Chases.	So much as relates to the Post Office and the sending and receiving Letters and Packets by the Post free from the Duty of Postage.
43 G. 3. c. 119.	An Act for improving the Funds of the Chest at Chatham, and for transferring the Administration of the same to Greenwich Hospital; and for ameliorating the Condition of the Pensioners on the said Funds.	So much as relates to the Post Office and the sending and receiving Letters and Packets by the Post free from the Duty of Postage.
44 G. 3. c. 84.	An Act to permit certain Persons in the Office of Ordnance, and the Quarter Master General, to send and receive Letters free from the Duty of Postage; and to enable the Board of Ordnance, the Adjutant General, the Quarter Master General, and the Barrack Master General to authorize Persons in their Offices to send Letters free from the said Duty.	The whole.
45 G. 3. c. 11.	An Act for granting certain additional Rates and Duties in Great Britain on the Conveyance of Letters.	The whole.

Date of Act.	Title.	Extent of Repeal.
45 G. 3. c. 21.	An Act for repealing certain Duties upon Letters and Packets sent by the Post within Ireland, and granting other Duties in lieu thereof.	The whole.
45 G. 3. c. 72.	An Act for the Encouragement of Seamen, and for the better and more effectually manning His Majesty's Navy during the present War.	So much as relates to the Post Office and the sending Letters and Packets by the Post free from the Duty of Postage.
46 G. 3. c. 61.	An Act to authorize certain Public Officers to send and receive Letters and Packets by the Post free from the Duty of Postage.	The whole.
46 G. 3. c. 73.	An Act for granting Rates of Postage on the Conveyance of Letters and Packets to and from Gibraltar and the Island of Malta.	The whole.
46 G. 3. c. 83.	An Act for the better Regulation of the Office of Receiver General of the Post Office in England.	The whole.
46 G. 3. c. 92.	An Act to amend Three Acts made in the Thirty-fifth, Forty-first, and Forty-second Years of His present Majesty, relating to the Conveyance of Letters and Packets by the Post.	The whole.
46 G. 3. c. 142.	An Act for the better Regulation of the Office of Surveyor General of Woods and Forests.	So much as relates to the Post Office and the sending and receiving of Letters and Packets by the Post free from the Duty of Postage.
47 G. 3. c. 59. Sess. 2.	An Act to amend an Act of the Forty-sixth Year of His Majesty, for the better Regulation of the Office of Receiver General of the Post Office in England.	The whole.
48 G. 3. c. 90.	An Act to enable the Commissioners for auditing Public Accounts, and the Commissioners for the Affairs of Barracks respectively, to send and receive Letters and Packets on the Business of their Office free of Postage.	The whole.
48 G. 3. c. 116.	An Act for granting to His Majesty Rates of Postage on the Conveyance of Letters and Packets to and from the Island of Madeira and to and from the Portuguese Territories on the Continent of South America.	The whole.
49 G. 3. c. 35.	An Act for the more convenient Payment of Pensions to Widows of Officers of the Navy.	So much as relates to the Post Office and the sending and receiving of Letters and Packets by the Post free from the Duty of Postage.

Date of Act.	Title.	Extent of Repeal.
49 G. 3. c. 45.	An Act for more conveniently paying of Allowances on the Compassionate List of the Navy and of Half Pay to Officers of the Royal Marines.	So much as relates to the Post Office.
49 G. 3. c. 108.	An Act to amend the several Acts respecting the Payment of Wages and Prize Money and Allotment of Wages to Persons serving in His Majesty's Royal Navy.	So much as relates to the Post Office.
49 G. 3. c. 123.	An Act to explain and amend an Act made in the Forty-fifth Year of His present Majesty, for the Encouragement of Seamen, and for the better and more effectually manning His Majesty's Navy during the present War; and for the further Encouragement of Seamen, and for the better and more effectually providing for the Interests of the Royal Hospital for Seamen at Greenwich and the Royal Hospital for Soldiers at Chelsea; and to extend the Provisions of the said Act to Cases arising in consequence of Hostilities commenced since the passing of the said Act.	So much as relates to the Post Office.
50 G. 3. c. 65.	An Act for uniting the Offices of Surveyor General of the Land Revenues of the Crown and Surveyor General of His Majesty's Woods, Forests, Parks, and Chases.	So much as relates to the Post Office and the sending and receiving Letters and Packets by the Post free from the Duty of Postage.
50 G. 3. c. 66.	An Act to authorize the Judge Advocate General to send and receive Letters and Packets free from the Duty of Postage.	The whole.
50 G. 3. c. 74.	An Act to grant to His Majesty certain additional Duties upon Letters and Packets sent by the Post within Ireland.	The whole.
52 G. 3. c. 88.	An Act for granting to His Majesty certain additional Rates of Postage in Great Britain.	The whole.
52 G. 3. c. 132.	An Act for explaining, amending, and extending the several Laws relative to the Payment of forfeited and unclaimed Shares of Army Prize Money to the Royal Hospital at Chelsea; and for directing the Mode of making up the Accounts of Pensions paid to the Widows of Officers of the Army.	So much as relates to the Post Office and the sending and receiving Letters and Packets by the Post free from the Duty of Postage.

Date of Act.	Title.	Extent of Repeal.
52 G. 3. c. 143.	An Act for amending and reducing into One Act the Provisions contained in any Laws now in force imposing the Penalty of Death for any Act done in breach of or in resistance to any Part of the Laws for collecting His Majesty's Revenue in Great Britain.	So much as relates to the Post Office.
53 G. 3. c. 13.	An Act for authorizing the Assistant Secretary to the Postmaster General to send and receive Letters and Packets free from the Duty on Postage.	The whole.
53 G. 3. c. 58.	An Act to repeal certain Rates and Duties upon Letters and Packets sent by the Post from or to Dublin to or from the several Post Towns in Ireland, and to grant other Rates and Duties in lieu thereof; and to make further Regulations for securing the Duties on Letters and Packets sent by the Post in Ireland.	The whole.
53 G. 3. c. 68.	An Act to repeal the Exemption from Toll granted for or in respect of Carriages with more than Two Wheels carrying the Mail in Scotland, and for granting a Rate for Postage as an Indemnity for the Loss which may arise to the Revenue of the Post Office from the Payment of such Tolls.	The whole.
54 G. 3. c. 119.	An Act to repeal certain Duties upon Letters and Packets sent by the Post within Ireland, and to grant other Duties in lieu thereof.	The whole.
54 G. 3. c. 169.	An Act for making certain Regulations respecting the Postage of Ship Letters and of Letters in Great Britain.	The whole.
55 G. 3. c. 103.	An Act to regulate the Postage of Ship Letters to and from Ireland.	The whole.
55 G. 3. c. 145.	An Act to increase the Allowance to the Post Office in Ireland in respect of Packet Boats to Great Britain.	The whole.
55 G. 3. c. 153.	An Act for granting certain Rates on the Postage of Letters to and from Great Britain, the Cape of Good Hope, the Mauritius, and the East Indies; and for making certain Regulations respecting the Postage of Ship Letters and of Letters in Great Britain.	The whole.

Date of Act.	Title.	Extent of Repeal.
56 G. 3. c. 98.	An Act to unite and Consolidate into One Fund all the Public Revenues of Great Britain and Ireland, and to provide for the Application thereof to the general Service of the United Kingdom.	So much as relates to the sending and receiving Letters and Packets by the Post free from the Duty of Postage.
57 G. 3. c. 9.	An Act for vesting all Estates and Property occupied for the Barrack Service in the Comptroller of the Barrack Department, and for granting certain Powers to the said Comptroller.	So much as relates to the Post Office and the sending and receiving Letters and Packets by the Post free from the Duty of Postage.
57 G. 3. c. 66.	An Act to amend an Act of the Twenty-second Year of His present Majesty, for suppressing or regulating certain Offices therein mentioned, so far as relates to the Board of Trade; and for enabling the Vice-President of the Board of Trade to send and receive Letters and Packets free from the Duty of Postage.	So much as relates to the Post Office and the sending and receiving Letters and Packets by the Post free from the Duty of Postage.
58 G. 3. c. 45.	An Act for building and promoting the building of additional Churches in populous Parishes.	So much as relates to the Post Office and the sending and receiving Letters and Packets by the Post free from the Duty of Postage.
59 G. 3. c. 108.	An Act to amend several Acts relating to the Post Office and Conveyance of Letters in Ireland.	The whole.
59 G. 3. c. 111.	An Act to repeal so much of an Act passed in the Fifty-fifth Year of His present Majesty as relates to the Postage and Conveyance of Letters to and from the Cape of Good Hope, Ceylon, the Mauritius, and the East Indies; and to make other Regulations respecting the Postage of such Letters and Packets, and other Letters and Packets sent by the Post.	The whole.
1 G. 4. c. 89.	An Act for imposing additional Rates and Duties on the Conveyance of Letters between Port Patrick in Scotland and Donaghadee in Ireland.	The whole.
3 G. 4. c. 105.	An Act for granting Rates of Postage for the Conveyance of Letters and Packets between the Port of Liverpool in the County of Lancaster and the Isle of Man.	The whole.
3 G. 4. c. 126.	An Act to amend the General Laws now in being for regulating Turnpike Roads in that Part of Great Britain called England.	So much as relates to the Exemption of Horses and Carriages employed or to be employed in carrying the Mails and Expresses from Payment of Tolls.

Date of Act.	Title.	Extent of Repeal.
4 G. 4. c. 49.	An Act for regulating Turnpike Roads in that Part of Great Britain called Scotland.	So much as relates to the Exemption of Horses and Carriages employed or to be employed in conveying the Mails from Payment of Tolls, and as authorizes the Trustees of Turnpikes to enter into any Agreement with the Postmaster General as to the Amount of Tolls to be paid for Mail Coaches.
4 G. 4. c. 81.	An Act to consolidate and amend the Laws for punishing Mutiny and Desertion of Officers and Soldiers in the Service of the East India Company, and to authorize Soldiers and Sailors in the East Indies to send and receive Letters at a reduced Rate of Postage.	So much as relates to the Post Office.
4 G. 4. c. 95.	An Act to explain and amend an Act passed in the Third Year of the Reign of His present Majesty, to amend the General Laws now in being for regulating Turnpike Roads in that Part of Great Britain called England.	So much as tends to affect the Exemption from Payment of Tolls of Horses and Carriages employed or to be employed in conveying the Mails and Expresses under the Authority of Her Majesty's Postmaster General, either when employed in conveying, fetching, or guarding such Mails or Expresses or in returning back from conveying or guarding the same.
5 G. 4. c. 10.	An Act for granting to His Majesty Rates of Postage on the Conveyance of Letters and Packets to and from Buenos Ayres or other Port or Ports on the Continent of South America.	The whole.
5 G. 4. c. 20.	An Act to regulate the Conveyance of Packets containing re-issuable Country Bank Notes by the Post, and to charge Rates of Postage thereon; to prevent Letters and Packets being sent otherwise than by the Post; to punish Persons embezzling printed Proceedings in Parliament or Newspapers; and to allow the President of the Commissioners of Revenue Inquiry to send and receive Letters and Packets free from the Duty of Postage.	The whole.
6 G. 4. c. 28.	An Act for granting Rates of Postage for the Conveyance of Letters and Packets between Great Britain and Ireland by way of Liverpool.	The whole.

Date of Act.	Title.	Extent of Repeal.
6 G. 4. c. 44.	An Act for granting to His Majesty Rates of Postage on the Conveyance of Letters and Packets to and from Columbia and Mexico.	The whole.
6 G. 4. c. 68.	An Act to regulate the Conveyance of printed Votes and Proceedings in Parliament, and printed Newspapers, by Packet Boats between Great Britain and Ireland and the British Colonies, and also in the United Kingdom.	The whole, except so far as respects the Compensation to Officers of the Post Office having the Privilege of Franking.
7 G. 4. c. 16.	An Act to consolidate and amend several Acts relating to the Royal Hospitals for Soldiers at Chelsea and Kilmainham.	So much as relates to the Post Office and the sending and receiving of Letters and Packets by the Post free from the Duty of Postage.
7 & 8 G. 4. c. 6.	An Act for granting to His Majesty Rates of Postage on the Conveyance of Letters and Packets to and from Saint Domingo and Cuba.	The whole.
7 & 8 G. 4. c. 21.	An Act to amend the Laws relating to the Duties of Postage in Great Britain and Ireland.	The whole.
7 & 8 G. 4. c. 58.	An Act to make Provision for ascertaining from Time to Time the Average Prices of British Corn.	So much as relates to the Post Office and the sending and receiving of Letters and Packets by the Post free from the Duty of Postage.
9 G. 4. c. 42.	An Act to abolish Church Briefs, and to provide for the better Collection and Application of voluntary Contributions for the Purpose of enlarging and building Churches and Chapels.	So much as relates to the Post Office and the sending and receiving of Letters and Packets by the Post free from the Duty of Postage.
10 G. 4. c. 26.	An Act for transferring the Management of Greenwich Out-pensions, and certain Duties in Matters of Prize, to the Treasurer of the Navy.	So much as relates to the Post Office and the sending and receiving of Letters and Packets by the Post free from the Duty of Postage.
1 W. 4. c. 8.	An Act for enabling His Majesty to appoint a Postmaster General for the United Kingdom of Great Britain and Ireland.	The whole.
1 & 2 W. 4. c. 43.	An Act for amending and making more effectual the Laws concerning Turnpike Roads in Scotland.	So much as relates to the Post Office.
2 W. 4. c. 15.	An Act to enable His Majesty's Postmaster General to extend the Accommodation by Post, and to regulate the Privilege of Franking in Ireland; and for other Purposes relating to the Post Office.	The whole.

Date of Act.	Title.	Extent of Repeal.
2 W. 4. c. 53.	An Act for consolidating and amending the Laws relating to the Payment of Army Prize Money.	So much as relates to the Post Office and the sending and receiving of Letters and Packets by the Post free from the Duty of Postage.
2 & 3 W. 4. c. 106.	An Act to enable the Officers in His Majesty's Army, and their Representatives, and the Widows of Officers, and Persons on the Compassionate List, and also Civil Officers on Retired or Superannuation Allowances payable by the Paymaster General of His Majesty's Forces, to draw for and receive their Half Pay and Allowances.	So much as relates to the Post Office and the sending and receiving of Letters and Packets by the Post free from the Duty of Postage. • •
4 & 5 W. 4. c. 44.	An Act to regulate the Conveyance of printed Newspapers by the Post between the United Kingdom, the British Colonies, and Foreign Parts.	The whole.
5 & 6 W. 4. c. 25.	An Act to extend the Accommodation by the Post to and from Foreign Parts, and for other Purposes relating to the Post Office.	The whole.
6 W. 4. c. 21.	An Act to provide that Persons in Scotland accused of Letter Stealing shall not be entitled to Liberation on Bail unless in certain Cases.	The whole.
6 W. 4. c. 25.	An Act for granting an additional Rate of Postage on Letters between Great Britain and Ireland by way of Milford and Waterford.	So much as imposes additional Rates of Postage on Letters and Packets conveyed by Post to and from Great Britain and Ireland, or to and from any Part beyond the Seas and Ireland, by way of Milford and Waterford.
6 & 7 W. 4. c. 54.	An Act to consolidate and amend the Laws relating to the Conveyance of Newspapers by the Post.	The whole.

SCHEDULE (B.)

Containing a Description of the Acts and Parts of Acts saved from the Operation of this Act.

Date of Act.	Title.	Extent of Saving.
5 A. c. 4. s. 1.	An Act for settling upon John Duke of Marlborough and his Posterity a Pension of Five thousand Pounds per Annum, for the more honourable Support of their Dignities, in like Manner as his Honours and Dignities, and the Honour and Manor of Woodstock and House of Blenheim, are already limited and settled.	The whole.
~~5 A. c. 4. s. 1.~~	An Act for establishing a General Post Office for all Her Majesty's Dominions, and for settling a weekly Sum out of the Revenues thereof for the Service of the War and other Her Majesty's Occasions.	So much as relates to the Appropriation and Payment of the weekly Sum thereby directed to be paid into the Receipt of the Exchequer; and as relates to Her Majesty's Hereditary Revenue; and as relates to all Annuities and other Payments and Incumbrances to which the Revenue of the Post Office is thereby made liable; and so much as relates to the Interference with or Participation in the Elections of Members of Parliament by Persons employed in the Post Office.
1 G. 1. c. 78.	An Act to enable His Majesty to grant Letters Patent to supply a Defect in a Grant made by His Majesty King William the Third unto Maynard Duke of Schomberg and Leinster, of the annual Sum of Four thousand Pounds out of the Revenue of the Post Office, until the Sum of One hundred thousand Pounds be paid.	The whole.
3 G. 1. c. 7.	An Act for redeeming the Duties and Revenues which were settled to pay off Principal and Interest on the Orders made forth on Four Lottery Acts passed in the Ninth and Tenth Years of Her late Majesty's Reign; and for redeeming certain Annuities payable on Orders out of the Hereditary Excise, according to a former Act in that Behalf; and for establishing a general yearly Fund, not only for the future Payment of	So much as relates to the Payment of the weekly Sum of Seven hundred Pounds out of the Revenues of the Post Office into the Receipt of the Exchequer.

Date of Act.	Title.	Extent of Saving.
	Annuities at several Rates to be payable and transferrable at the Bank of England and redeemable by Parliament, but also to raise Monies for such Proprietors of the said Orders as shall choose to be paid their Principal and Arrears of Interest in ready Money; and for making good such other Deficiencies and Payments as in this Act are mentioned; and for taking off the Duties on Linseed imported and British Linen exported.	
3 G. 2. c. 36.	An Act for confirming a Patent granted by Her late Majesty Queen Anne to William Trench, Esquire, deceased, for erecting a Lighthouse upon the Island or Rock called Skerries, and for the better Maintenance of the said Lighthouse, and for making the Duties granted for maintaining the same perpetual.	The whole.
5 G. 3. c. 25.	An Act to alter certain Rates of Postage, and to amend, explain, and enlarge several Provisions in an Act made in the Ninth Year of the Reign of Queen Anne and in other Acts relating to the Revenue of the Post Office.	So much as relates to the Postage on Letters and Packets conveyed by the Post within the British Dominions in America and the West Indies and to any Felony or other Offence committed within such Dominions.
7 G. 3. c. 50.	An Act for amending certain Laws relating to the Revenue of the Post Office; and for granting Rates of Postage for the Conveyance of Letters and Packets between Great Britain and the Isle of Man and within that Island.	So much as relates to any Felony or other Offence committed within the British Dominions in America and the West Indies.
24 G. 3. c. 37.	An Act for granting to His Majesty certain additional Rates of Postage for Conveyance of Letters and Packets by the Post within the Kingdom of Great Britain; for preventing Frauds on the Revenue carried on by the Conveyance of certain Goods in Letters and Packets; and for further preventing Frauds and Abuses in relation to the sending and receiving of Letters and Packets free from Postage.	So much as relates to the Appropriation and Payment of the weekly Sum of Two thousand three hundred Pounds thereby directed to be paid into the Receipt of the Exchequer, and as relates to the Hereditary Revenue.
27 G. 3. c. 13.	An Act for repealing the several Duties of Customs and Excise and granting other Duties in lieu thereof, and for applying the said Duties, together with the other Duties composing the	So much as relates to the Post Office.

Date of Act	Title	Extent of Saving.
	Public Revenue; for permitting the Importation of certain Goods, Wares, and Merchandize the Produce or Manufacture of the European Dominions of the French King into this Kingdom; and for applying certain unclaimed Monies remaining in the Exchequer for the Payment of Annuities on Lives to the Reduction of the National Debt.	
45 G. 3. c. 43.	An Act to amend the Laws for improving and keeping in repair the Post Roads in Ireland, and for rendering the Conveyance of Letters by His Majesty's Post Office more secure and expeditious.	The whole.
~~46 G. 3. c. 134.~~	An Act to provide for the Security and Expedition of the Conveyance of Letters by the Post in Ireland.	The whole.
48 G. 3. c. 48.	An Act to enable His Majesty's Postmaster General of Ireland to purchase Premises for the Enlargement of the General Post Office in the City of Dublin.	The whole.
48 G. 3. c. 140.	An Act for the more effectual Administration of the Office of Justice of the Peace, and for the more effectual Prevention of Felonies within the District of the Dublin Metropolis.	So much as relates to the Post Office.
52 G. 3. c. 146.	An Act for the better regulating and preserving Parish and other Registers of Births, Baptisms, Marriages, and Burials in England.	The whole.
53 G. 3. c. 89.	An Act for the more regular Conveyance of Writs for the Election of Members to serve in Parliament.	The whole.
53 G. 3. c. 146.	An Act to amend an Act made in the Forty-fifth Year of His present Majesty, intituled "An Act to amend the Laws for improving and keeping in repair the Post Roads in Ireland, and for rendering the Conveyance of Letters by His Majesty's Post Office more secure and expeditious."	The whole.
54 G. 3. c. 63.	An Act to amend several Acts for enabling His Majesty's Postmaster General of Ireland to purchase Premises for the Enlargement of the General Post Office in the City of Dublin.	The whole.
55 G. 3. c. 91. (Local Act.)	An Act for enlarging and improving the West End of Cheapside in the	The whole.

Date of Act.	Title.	Extent of Saving.
	City of London, also Saint Martin's-le-Grand, Aldersgate Street, Saint Anne's Lane, and Foster Lane; and for providing a Site for a new Post Office between Saint Martin's-le-Grand and Foster Lane aforesaid.	
55 G. 3. c. 120.	An Act to provide for the taking an Account of the Population of Ireland, and for the ascertaining the Increase or Diminution thereof.	So much as relates to the Post Office.
5 G. 4. c. 5.	An Act for enabling a Conveyance to be made of Part of a House in Lombard Street, vested in the Right Honourable Henry Frederick Lord Carteret, formerly His Majesty's Postmaster General.	The whole.
5 G. 4. c. 85.	An Act for amending an Act of the last Session of Parliament relating to the building, repairing, and enlarging of certain Gaols and Houses of Correction, and for procuring Information as to the State of all other Gaols and Houses of Correction, in England and Wales.	The whole.
1 W. 4. c. 27.	An Act for enabling His Majesty's Postmaster General to sell the Premises lately used as the Post Office in Lombard Street, Abchurch Lane, and Sherborne Lane in the City of London.	The whole.
1 & 2 W. 4. c. 33.	An Act for the Extension and Promotion of Public Works in Ireland.	The whole.
2 W. 4. c. 4.	An Act for more effectually preventing Embezzlements by Persons employed in the Public Service of His Majesty.	The whole.
2 & 3 W. 4. c. 86.	An Act to amend an Act of the Forty-fifth Year of His Majesty King George the Third relating to Post Roads in Ireland.	The whole.
4 W. 4. c. 7.	An Act to repeal, at the Period within mentioned, so much of an Act passed in the Fifth Year of the Reign of His late Majesty King George the Third, intituled "An Act to alter certain Rates of Postage, and to amend, explain, and enlarge several Provisions in an Act made in the Ninth Year of the Reign of Queen Anne and in other Acts relating to the Revenue of the Post Office," as authorizes the taking of certain Rates of Inland Postage within His Majesty's Dominions in North America.	The whole.

Date of Act.	Title.	Extent of Saving.
6 W. 4. c. 25.	An Act for granting an additional Rate of Postage on Letters between Great Britain and Ireland by way of Milford and Waterford.	So far as relates to the Application of the Rates and the Repair of Roads.
6 & 7 W. 4. c. 116.	An Act to consolidate and amend the Laws relating to the Presentment of Public Money by Grand Juries in Ireland.	So much as relates to the Provisions for the more speedy and effectual Repair of Roads in Ireland upon which Her Majesty's Mails are carried.

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ANNO PRIMO

VICTORIÆ REGINÆ.

C A P. XXXIII.

An Act for the Management of the Post Office.

[12th July 1837.]

WHEREAS an Act was passed in the present Session of Parliament, intituled *An Act to repeal the several Laws relating to the Post Office*; be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That on the Day on which the recited Act shall come into operation this Act shall come into operation for the Management of the Post Office within the United Kingdom of *Great Britain* and *Ireland* and all other Her Majesty's Dominions and Territories.

1 Vict. c. 32.

Commence-
ment of Act.

II. And be it enacted, That Her Majesty's present Postmaster General, and the Person or Persons to be from Time to Time hereafter appointed by the Queen's Majesty by Letters Patent under the Great Seal of *Great Britain*, shall be the Master of the Post Office by the Style of Her Majesty's Postmaster General; and wheresoever within the United Kingdom and other Her Majesty's Dominions Posts or Post Communications are now or may be hereafter established, the Postmaster General, by himself or by his Deputies and their respective Servants and Agents, shall have the exclusive Privilege of conveying from one Place to another all Letters, except in the following Cases, and shall also have the exclusive Privilege of performing all the incidental Services of receiving, collecting,

Creation of
the exclusive
Privilege of
the Post
Office.

sending, despatching, and delivering all Letters, except in the following Cases ; (that is to say,) .

Exceptions
from the ex-
clusive Privi-
lege of the
Post Office.

Letters sent by a private Friend in his Way, Journey, or Travel, so as such Letters be delivered by such Friend to the Party to whom they shall be directed :

• Letters sent by a Messenger on purpose, concerning the private Affairs of the Sender or Receiver thereof :
• Commissions or Returns thereof, and Affidavits and Writs, Process or Proceedings, or Returns thereof, issuing out of a Court of Justice :

Letters sent out of the United Kingdom by a private Vessel (not being a Packet Boat) :

Letters of Merchants, Owners of Vessels of Merchandize, or the Cargo or Loading therein, sent by such Vessels of Merchandize, or by any Person employed by such Owners for the Carriage of such Letters, according to their respective Directions, and delivered to the respective Persons to whom they shall be directed, without paying or receiving Hire or Reward, Advantage or Profit for the same in anywise :

Letters concerning Goods or Merchandize sent by common known Carriers, to be delivered with the Goods which such Letters concern, without Hire or Reward or other Profit or Advantage for receiving or delivering such Letters :

But nothing herein contained shall authorize any Person to make a Collection of such excepted Letters for the Purpose of sending them in the Manner hereby authorized : . .

Special
Prohibitions.

And the following Persons are expressly forbidden to carry a Letter, or to receive or collect or deliver a Letter, although they shall not receive Hire or Reward for the same ; (that is to say,)

Common known Carriers, their Servants or Agents, except a Letter concerning Goods in their Carts or Waggon or on their Pack Horses, and Owners, Drivers, or Guards of Stage Coaches :

Owners, Masters, or Commanders of Ships, Vessels, Steam Boats, or Boats called or being Passage or Packet Boats, sailing or passing Coastwise or otherwise between Ports or Places within *Great Britain* or *Ireland*, or between, to, or from a Port or Ports within Her Majesty's Dominions or Territories out of the United Kingdom, or their Servants or Agents, except in respect of Letters of Merchants, Owners of Ships or Goods on board :

Passengers or other Persons on board any such Ships, Vessels, Steam Boat, Passage or Packet Boat :

The Owners of, or Sailors, Watermen, or others on board a Ship, Vessel, Steam Boat, or other Boat or Barge passing or repassing on a River or navigable Canal within the United Kingdom or other Her Majesty's Dominions. .

General Post
Office, Lon-
don :

III. And be it enacted, That there shall be One General Post Office in the City of *London*, where Letters may be received from all Places within the United Kingdom and Parts beyond the Seas, and whence all Letters may be despatched to all Places within the United Kingdom and Parts beyond the Seas.

IV. And

IV. And to the Intent that there may be other Chief Letter Offices ^{in other} from which the Distances for which the Rates of Postage granted by ^{Places.} the Post Office Acts may be computed, be it enacted, That the Postmaster General may keep a Chief Letter Office at each of the following Places; (that is to say,)

The City of *Edinburgh*,

The City of *Dublin*,

The *Isle of Man*,

The Islands of *Jersey* and *Guernsey*,

Each of Her Majesty's Provinces or Colonies in *North America*,

Each of the Islands of the *West Indies*,

And in any other of Her Majesty's Provinces or Dominions wheresoever,

And in any other Places abroad where he shall deem the same expedient.

V. And be it enacted, That the Postmaster General may establish ^{Cross Letter} any Cross Posts or Stages between any Places, and may continue ^{Posts.} Posts of that Description which are already established; and he may continue Bye-bags as hath been heretofore accustomed, the respective Postages of Letters conveyed thereby being duly accounted for and paid by the Officers receiving the same to the Receiver General of the Post Office for the Use of Her Majesty; and he may undertake, at the Expence of the Post Office, the Conveyance of Letters by Post (including the incidental Services of Collection and Delivery) between Post Towns and Places not Post Towns, and between one Place and another, both not being Post Towns, at such Rates of Postages for such extra Services as may from Time to Time be mutually agreed upon between the Postmaster General and the Inhabitants respectively; nevertheless, the Inhabitants of Places where any such Convention Posts shall be established may carry or recarry, or employ any Person to carry or recarry, any Letters between such Places respectively.

VI. And be it enacted, That the Postmaster General may extend ^{Twopenny} the Twopenny Post of *London* to any Distance from *London* he may ^{and Penny} think fit; and, with the Consent of the Lord Lieutenant, may extend ^{Posts.} the Penny or Twopenny Post of *Dublin* to any Distance from *Dublin*; and he may establish a Penny Post Office in any other City or Town, or the Suburbs thereof, or Places adjacent, within the United Kingdom or other Her Majesty's Dominions, and may continue as long as he may deem expedient all Posts of that Description now established; and he may from Time to Time alter the Limits of any Twopenny or Penny Posts.

VII. And be it enacted, That the Postmaster General may enter ^{Indemnity} into an Agreement with or take Security from any Person applying ^{for increased} to him to extend the Accommodations of the Post to any Place for ^{Charge of} indemnifying the Revenue against the Expences which shall be ^{extending} incurred thereby beyond the Amount of Postages received, and the ^{Post Office} Indemnification may be either for the Whole or Part of the Expences ^{Accommo-} incurred, and for such Time as the Postmaster General shall think ^{dations.} necessary.

VIII. And

Postmaster
General
subject to
Her Majesty's
Orders.

VIII. And for the better Management of the Post Office, be it enacted, That the Postmaster General shall observe such Orders and Instructions concerning the Settlement of Posts and Stages upon the several Roads, Cross Roads, and Bye-ways within the United Kingdom and other Her Majesty's Dominions as Her Majesty shall from Time to Time give in that Behalf.

Power to
appoint
Deputies.

IX. And be it enacted, That the Postmaster General may appoint sufficient Deputies, Agents, and Servants under him, for the better managing the Post Office Revenue at the several Places within the United Kingdom and other Her Majesty's Dominions where Posts or Post Communications shall be established; and whenever the Postmaster General is by the Post Office Laws empowered or required to do any Act, all such Deputies, Servants, and Agents, according to the Nature and Extent of their Commission or Deputation or Appointment, shall be construed to be so empowered or required, unless the contrary be expressed therein.

~~Condition to~~
be observed
before Office
in Post Office
can be held.

X. And be it enacted, That no Person hereafter appointed shall be capable of holding the Office of Postmaster General, or of being an Officer of the Post Office, unless such Person shall have first made and subscribed the Declaration contained in the Schedule hereunto annexed before a Justice of the Peace acting for the Place where such Person resides, which Declaration such Justice shall (on Application to that Effect) administer and take accordingly.

Saving of
Patent of
Postmaster
General, and
other Ap-
pointments.

XI. And be it enacted, That the Letters Patent granted by His late Majesty, and dated the Thirtieth Day of May One thousand eight hundred and thirty-five, appointing the Right Honourable *Thomas William* Earl of *Lichfield* to the Office of Postmaster General for the United Kingdom and other Her Majesty's Dominions, by the Name of "His Majesty's Postmaster General," and all Powers, Privileges, and Pre-eminences to the Office of Postmaster General belonging and in force at the Commencement of this Act, shall continue in force as if the same had been afterwards granted by virtue of this Act; and that all Commissions, Deputations, and Appointments granted to any of the Officers of the Post Office in force at the Commencement of this Act shall continue in force as if the same had been afterwards granted by virtue of this Act; and that all Bonds to the Crown, or any other Person on behalf of the Crown, which shall have been given by such Officers and their respective Sureties for good Conduct in their respective Offices or otherwise, shall remain in force, and that the Postmaster General shall have all the same Powers and Immunities, Rights and Privileges, as the Two Postmasters General of *Great Britain* and *Ireland* would have been entitled to in right of their respective Offices in case they had been separately appointed by Letters Patent under the Great Seal of *Great Britain* and *Ireland*, respectively; and that all Contracts and Agreements or other Engagements entered into by, with, or between Her Majesty's Postmaster General for the Time being in *Great Britain* and *Ireland* and any other Person, and all Bonds, Instruments, or other Securities for the due Performance of the same, shall be of the like Force as the same would have been in case
the

the said recited Act of the present Session, intituled *An Act to repeal the several Laws relating to the Post Office*, had not been passed. 1 Vict. c. 32.

XII. And to the end that the Postmaster General and his Officers may not be hindered in their respective Employments, be it enacted, That no Postmaster General nor any Officer of the Post Office shall be compelled to serve as a Mayor or Sheriff, or in any Ecclesiastical or Corporate or Parochial or other Public Office or Employment, or to serve on any Jury or Inquest, or in the Militia; any Law or Custom to the contrary thereof notwithstanding. Persons employed by the Post Office exempted from certain Offices.

XIII. And be it enacted, That the Monies to arise by the several Duties granted by the Post Office Acts (except the Monies which shall be necessary to defray such Expences as shall be incurred in the Receipt and Management of the same, and except all Annuities and yearly Sums now charged thereon by Law,) shall be paid into the Receipt of Her Majesty's Exchequer, and carried to and made Part of the Consolidated Fund of the United Kingdom of *Great Britain and Ireland*. Monies to be paid into the Exchequer.

XIV. And be it enacted, That all Charges, Outgoings, and Disbursements necessary for the Receipt and Management of the Duties of Postage, and all other Expences attending the Management of the Post Office and the due Execution of the several Post Office Acts, shall be allowed and paid in like Manner as the same have heretofore been allowed and paid. Charges of Post Office how to be paid.

XV. And whereas there is a separate Receivership and Accountancy of the Post Office Revenues in *Great Britain and Ireland* respectively, and such Revenues are paid into Her Majesty's Exchequer in different Ways; be it enacted, That the Postmaster General may apply to the Revenue of the Post Office of *Great Britain* the Amount of all Rates of Postage received in *Great Britain* on Letters sent to or from *Ireland*, and may apply to the Revenue of the Post Office of *Ireland* the Amount of all Rates of Postage received in *Ireland* on Letters sent to or from *Great Britain*, and all Sums so received shall be paid and applied as the Revenue of Postage arising in *Great Britain and Ireland* respectively. Reciprocal Application of the Revenues of the British and Irish Post Offices to the Service of each other.

XVI. And be it enacted, That at the Time of paying the Post Office Revenue into Her Majesty's Exchequer the respective Receivers General of *England and Ireland* shall distinguish in their Accounts the respective additional Rates of Postage granted in respect of the *Menai and Conway* Bridges, and on Letters conveyed by way of *Milford and Waterford*; and having deducted in such Accounts the necessary Charges of paying, collecting, and accounting for the same, shall pay the Amount thereof into the Exchequer, on account of the Persons by Law entitled to receive the same, to be carried to the Consolidated Fund of the United Kingdom of *Great Britain and Ireland*, and to be applied as the same respectively are now or shall at any Time hereafter be applicable by Law. Separate Accounts of certain Revenues.

Duty of
Accountant
General.

XVII. And be it enacted, That the Postmaster General shall cause an Account to be kept by an Accountant General in *England* and *Ireland* respectively of all Monies arising from the Duties of Postage as they shall from Time to Time be brought into the Post Office to the Hands of the Receivers General of the Post Office in *England* or *Ireland*: Provided always, that the Powers, Authorities, and Duties of the said Accountant General shall be to the Extent and shall be exercised in the like Manner as they have heretofore existed and been exercised under the Provisions of any Act in force at the Commencement of the present Session, notwithstanding any thing in the Post Office Acts to the contrary, subject to such Alterations and Regulations as may from Time to Time be made by the Postmaster General, with the Concurrence of the Lords of the Treasury.

Tolls on
Mails not
demandable
at Gates, but
to be paid
periodically
by Post Office.

XVIII. And in order that the Progress of Her Majesty's Mails may not be retarded by the Demand of Tolls at Toll Gates or other Places, where Tolls are by Law chargeable on Horses and Carriages passing such Places, be it enacted, That no Person shall demand any Toll upon the passing of any Carriage or Horse conveying the Mail at Places where Tolls are otherwise demandable, but such Tolls shall be accounted for and paid by Her Majesty's Postmaster General according to the following Provisions; (that is to say,)

Tolls in
Scotland.

The Tolls leviable in *Scotland* shall be paid out of the Revenue of the Post Office in *Scotland* at such Time and in such Manner as may be agreed upon between the several Trustees entitled to receive the same and Her Majesty's Postmaster General, but so that Payment shall be made at least once in every Three Calendar Months; and the Trustees of any Turnpike Road in *Scotland* may enter into any Agreement with Her Majesty's Postmaster General as to the Amount of Tolls that shall be paid for a Mail Coach travelling along such Turnpike Road, without any Limitation as to the Amount of the Tolls to be payable, or the Number of Years for which such Agreement shall subsist; nevertheless, when such an Agreement shall not be made, or being made shall not be performed, then the several Tolls leviable for such Carriage or Horses carrying the said Mail or Packet may be recoverable in the Name of the respective Treasurers or Clerks of the respective Trusts in the Court of Session in *Scotland* by summary Application against Her Majesty's Postmaster General:

Tolls in
Ireland.

And with respect to the Tolls leviable in *Ireland* the Postmaster General shall cause an Account to be kept of all Tolls payable for Four-wheel Carriages carrying Her Majesty's Mail at the respective Turnpike Gates, either on Turnpike Roads or at the Ends of Bridges through which they shall pass, and shall from Time to Time cause the Amount thereof to be paid by equal quarterly Payments to the Treasurers to the Turnpike Roads and to the Treasurers of the Bridges or other Persons to whom such Tolls are respectively payable; but no Mail Coach, Mail Diligence, or Mail Cart conveying or employed to carry any Mail or Bag of Letters in *Ireland* shall be charged with any Toll more than once in the same Division of Road in the same Day, calculating from

Twelve of the Clock at Night till Twelve of the Clock the succeeding Night, and no Change of Horses shall subject any such Coaches, Diligence, or Cart to any additional Toll at any Turnpike Gate whatsoever, except where any additional Toll shall be payable by virtue of any Act in force immediately preceding the passing of the Act for repealing the several Laws relating to the Post Office first herein recited.

XIX. And in order that the Charges of the Post Office may not be unnecessarily increased by the Addition of other Charges of a public Nature, be it enacted, That no Toll shall in *England* be demanded or taken by virtue of any Act or Acts of Parliament, on any Turnpike Road for any Horses or Carriages of whatever Description employed in conveying Mails or Expresses under the Authority of the Postmaster General, either when employed in conveying, fetching, or guarding such Mails or Expresses, or in returning back from conveying or guarding the same, except where such Horses or Carriages were legally chargeable with Toll immediately preceding the passing of the Act for repealing the several Laws relating to the Post Office first herein recited; and no Turnpike Tolls shall in *Scotland* be charged on Carriages with Two Wheels conveying only the Mail or Packet, with their Driver, and any Horse or Horses drawing the same, and any Horse not drawing employed in conveying the said Mail or Packet; and no Turnpike Tolls shall in *Ireland* be charged on Carriages with Two Wheels conveying the Mail or Packet, and any Horse or Horses drawing the same, and any Horse not drawing, employed in conveying the said Mail or Packet, except where any such respective Horses or Carriages were legally chargeable with Toll immediately preceding the passing of the Act for repealing the several Laws relating to the Post Office first herein recited.

Exemption
from Tolls
in favour of
the Mails :
England :

Scotland :

Ireland.

XX. And be it enacted, That wherever the Consent or Direction or any other Act of the Lords of the Treasury is prescribed by the Post Office Acts, such Consent or Direction or any other Act may be signified either under the Hands of the Lords of the Treasury or any Three of them, or under the Hand of One of their Secretaries or Assistant Secretaries.

Acts of the
Treasury
how to be
signified.

XXI. And be it enacted, That all the Provisions of this Act shall be construed according to the respective Interpretations of the Terms and Expressions contained in an Act passed in the present Session, intituled *An Act for consolidating the Laws relative to Offences against the Post Office of the United Kingdom, and for regulating the judicial Administration of the Post Office Laws ; and for explaining certain Terms and Expressions employed in those Laws*, so far as those Interpretations are not repugnant to the Subject or inconsistent with the Context of such Provisions:

Interpreta-
tion Clause.

1 Vict. c. 36.

XXII. And be it enacted, That this Act may be repealed or altered during the present Session of Parliament.

Act may be
altered.



ANNO PRIMO

VICTORIÆ REGINÆ.

C A P. XXXIV.

An Act for the Regulation of the Duties of Postage.
[12th July 1837.]

WHEREAS an Act was passed in the present Session of Parliament, intituled *An Act to repeal the several Laws relating to the Post Office*; be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That on the Day on which the recited Act shall come into operation this Act shall come into operation for providing for the Payment of the Duties of Postage.

1 Vict. c. 32.

When Act shall come into operation.

II. And be it enacted, That the respective Rates of Postage hereinafter set forth shall be charged by Her Majesty's Postmaster General, for the Use of Her Majesty, on all Letters not specially exempted from Postage, which shall be transmitted by Post; and such Postage shall be paid as follows:—In all Cases in which it shall be so required by the Post Office Acts, or by any Regulations made by the Postmaster General in pursuance thereof, the Postage shall be paid by the Sender on delivering the Letter to the Post Office; in other Cases it shall be optional with the Sender to pay the Postage on delivering the Letter to the Post Office; and if the Postage shall not have been paid by the Sender it shall be paid by the Person to whom the Letter is addressed, on the Delivery thereof to him; but nevertheless, if the Letter be refused, or the Party to whom it is addressed shall be dead or cannot be found, the Writer or Sender shall pay the Postage; and

Rates of Postage to be payable.

this Enactment shall apply to every Packet, Newspaper, and periodical Publication, and every thing whatsoever chargeable with Postage, which shall be transmitted by the Post.

British In-land Postage. III. And be it enacted, That the Rates of Inland Postage for Letters transmitted by the General Post within *Great Britain*, and within the Islands of *Jersey*, *Guernsey*, and the *Isle of Man*, shall be as follows:—

For every Single Letter to a Place at any Distance from the Post Office where the Letter shall be put in —

	Miles.	s.	d.
Not exceeding - - - 15	-	0	4
Exceeding 15 and not exceeding 20	-	0	5
20 - - - 30	-	0	6
30 - - - 50	-	0	7
50 - - - 80	-	0	8
80 - - - 120	-	0	9
120 - - - 170	-	0	10
170 - - - 230	-	0	11
230 - - - 300	-	1	0

And for every 100 Miles above 300 - - - 0 1

And for every fractional Part of a Distance of 100 Miles

above - - - 300 - - - 0 1

And for every Letter conveyed by the Post in any Part of *Scotland* by a Mail Carriage now or hereafter established with more than Two Wheels, an additional Rate of - 0 0½

Irish Inland Postage. IV. And be it enacted, That the Rates of Inland Postage for Letters transmitted by the General Post within *Ireland* shall be as follows:—

For every Single Letter to a Place at a Distance (computed by *Irish* Miles) from the Office where the Letter shall be put in —

	Miles, Irish Measure.	s.	d.
Not exceeding - - - 7	-	0	2
Exceeding 7 and not exceeding 15	-	0	3
15 - - - 25	-	0	4
25 - - - 35	-	0	5
35 - - - 45	-	0	6
45 - - - 55	-	0	7
55 - - - 65	-	0	8
65 - - - 95	-	0	9
95 - - - 120	-	0	10
120 - - - 150	-	0	11
150 - - - 200	-	1	0
200 - - - 250	-	1	1
250 - - - 300	-	1	2

And for every 100 Miles above 300 - - - 0 1

And for every fractional Part of a Distance of 100 Miles

above - - - 300 - - - 0 1

V. And

V. And be it enacted, That where a Letter shall be transmitted by the Post over a Distance in *Great Britain* as well as over a Distance in *Ireland* the like Rates of Postage shall be payable for the whole Distances both in *Great Britain* and *Ireland* as would be payable on Letters sent for the whole of such Distances within *Great Britain* only, in addition to the Packet Rates which may be payable for Letters transmitted between *Great Britain* and *Ireland*. Further additional Rates.

VI. And be it enacted, That the following additional Rates shall be payable for every Single Letter transmitted by Packet Boat ; Additional Packet Rates.
(*videlicet*,)

Between the Ports of <i>Portpatrick</i> in <i>Scotland</i> and	s.	d.
<i>Donaghadee</i> in <i>Ireland</i> - - - - -	0	4
Between either <i>Holyhead</i> or <i>Milford Haven</i> and any Port in <i>Ireland</i> - - - - -	0	2
Between <i>Liverpool</i> and <i>Dublin</i> or any other Port in <i>Ireland</i> - - - - -	0	8

Nevertheless no Letter sent between *Great Britain* and *Ireland* by way of *Liverpool* shall be charged a higher Postage than if it were sent by way of *Holyhead* ; nor shall any Letter sent between *Ireland* and *Great Britain*, or any Place beyond the Seas, be charged with any Postage for Conveyance between *Kingstown* and *Dublin*, or between *Dunmore* and *Waterford* ; nor shall any Letters between *Kingstown* and *Dunmore* and any Place in *Great Britain* be charged more than for the actual Distance between *Kingstown* and *Dunmore* and any such Place in *Great Britain*.

VII. And be it enacted, That the following further additional Rates shall be payable on every Single Letter transmitted to or from *Ireland* ; (that is to say,) Menai and Conway Bridge Postage.

	s.	d.
By way of <i>Holyhead</i> in respect of <i>Menai Bridge</i> -	0	1
By way of <i>Conway</i> and <i>Chester</i> in respect of <i>Conway Bridge</i> - - - - -	0	1
By way of <i>Milford</i> and <i>Waterford</i> - - - - -	0	0½

VIII. And be it enacted, That the Rates for Letters transmitted by the Twopenny Post in *London* shall be as follows :— London Twopenny Post Rates.

For every Letter transmitted by such Post between Places within the Limits of Delivery for the Time being of the General Post - - - - -	s.	d.
For every Letter transmitted by such Post between a Place within the said Limits and any Place beyond the same, or between Places both of which are beyond the said Limits - - - - -	0	2
And for every Letter originally sent by the General Post directed to Places beyond the said Limits and delivered by the Twopenny Post, and for every Letter originally sent by the Twopenny Post and afterwards passing through the General Post, in addition to all other Rates chargeable thereon -	0	2

IX. And

Dublin
Penny Post.

IX. And be it enacted, That the Rates for Letters transmitted by the Penny Post in *Dublin* shall be as follows :—

For every Letter transmitted by such Post between	s.	d.
Places within the Limits of such Penny Post	-	0 1
And for every Letter transmitted between Places		•
within the said Limits and Places beyond them, or		
between Places both of which are beyond the said		
Limits	-	0 2
And for every Letter originally sent by the General		
Post directed to Places beyond the Limits of the		
said General Post in <i>Dublin</i> and delivered by the		
Penny Post, and for every Letter originally sent by		
the said Penny Post, whether within the said Limits		
or not, and afterwards passing through the General		
Post, in addition to all other Rates chargeable		
thereon	-	0 1

Nevertheless the Limits of the Twopenny and Penny Post, both of *London* and *Dublin*, as now fixed, shall be subject to such Alteration and Extension as shall from Time to Time be made by the Postmaster General.

Penny Post
in Towns.

X. And be it enacted, That every Letter transmitted by a Penny Post established or to be established in or from or to any City, Town, or Place in the United Kingdom or other Her Majesty's Dominions (other than *London* or *Dublin*) shall (whether passing through the General Post or not) be liable to a Rate of One Penny for Transmission by any such Post.

Limitation
as to Weight
of Letters.

XI. And be it enacted, That no Letter which shall exceed the Weight of Four Ounces shall be forwarded by a Twopenny or Penny Post, unless it shall have first passed or unless it shall be afterwards to pass by the General Post.

Packet Rate
between the
United King-
dom and the
Colonies.

XII. And be it enacted, That the Rates of Packet Postage for Letters transmitted by Post between the United Kingdom and Her Majesty's Colonies shall (in addition to any Inland Postage incurred by Transmission for any Distance within the United Kingdom) be as follows; (that is to say,)

For every Single Letter		
Between the Port of <i>Weymouth</i> and any Port in	s.	d.
<i>Jersey</i> or <i>Guernsey</i>	-	0 3
Between any Port in <i>Jersey</i> and any Port in <i>Guern-</i>		
<i>sey</i>	-	0 3
Between the Port of <i>Liverpool</i> and any Port in the		
<i>Isle of Man</i>	-	0 6
Between the Port of <i>Falmouth</i> and any Port in the		
<i>British</i> Dominions in <i>North America</i> or the <i>West</i>		
<i>Indies</i>	-	1 3
Or between any other convenient Ports than such		
as are above named, from or to which the Post		
Office Packets may from Time to Time be dis-		
patched.		

XIII. And

XIII. And be it enacted, That the Rates of Foreign Postage for Foreign Letters transmitted by Post between the United Kingdom and Foreign Rates Parts shall be as follows ; (that is to say,)

For every Single Letter

	s.	d.
Between <i>London</i> and <i>France</i> - - - - -	0	10
Between <i>Dovor</i> and <i>Calais</i> (not to or from <i>London</i>)	0	3
Between <i>London</i> and <i>Germany</i> by way of <i>France</i> -	1	4
Between <i>London</i> and <i>Switzerland</i> by way of <i>France</i>	1	2
Between <i>London</i> and <i>Spain</i> by way of <i>France</i> -	1	7
Between <i>London</i> and the following Places by way of <i>France</i> ; (videlicet,) <i>Italy</i> , <i>Sicily</i> , <i>Venetian Lombardy</i> , <i>Malta</i> , the <i>Ionian Islands</i> , <i>Greece</i> , <i>Turkey</i> , the <i>Levant</i> , the <i>Archipelago</i> , <i>Syria</i> , or <i>Egypt</i> -	1	7
Between <i>London</i> and <i>Holland</i> - - - - -	1	4
Between <i>London</i> and <i>Belgium</i> - - - - -	1	4
Between <i>London</i> and <i>Switzerland</i> - - - - -	1	8
Between <i>London</i> and <i>Germany</i> - - - - -	1	8
Between <i>London</i> and <i>Denmark</i> - - - - -	1	8
Between <i>London</i> and <i>Sweden</i> and other Parts of the North of <i>Germany</i> - - - - -	1	8
Between <i>London</i> and <i>Spain</i> otherwise than by way of <i>France</i> - - - - -	2	2
Between <i>London</i> and the following Countries through <i>Belgium</i> or <i>Holland</i> or <i>Germany</i> ; (videlicet,) <i>Italy</i> , <i>Sicily</i> , <i>Venetian Lombardy</i> , <i>Malta</i> , the <i>Ionian Isles</i> , <i>Greece</i> , <i>Turkey</i> , the <i>Levant</i> , the <i>Archipelago</i> , <i>Syria</i> , or <i>Egypt</i> - - - - -	1	8

Nevertheless all Foreign Letters herein rated between *London* and a Place abroad which shall be sent to or from any Place in the United Kingdom without coming to or passing through *London* shall be charged as if they had been sent from or to *London* (Letters from or to *France* only excepted) :

And the Rates of Foreign Postage for every Single Letter transmitted by Packet Boats exclusively shall be as follows : —

	s.	d.
Between a Port in the United Kingdom and <i>Lisbon</i> or any other Port in <i>Portugal</i> - - - - -	1	7
Between a Port in the United Kingdom and the Town or Fortress of <i>Gibraltar</i> - - - - -	1	11
Between a Port in the United Kingdom and the Island of <i>Malta</i> , the <i>Ionian Islands</i> , the Kingdom of <i>Greece</i> , or any Port in <i>Syria</i> or <i>Egypt</i> -	2	3
Between the Town or Fortress of <i>Gibraltar</i> (not having been first conveyed thither from the United Kingdom) and the Island of <i>Malta</i> , the <i>Ionian Islands</i> , <i>Greece</i> , <i>Syria</i> , or <i>Egypt</i> -	0	8
Between a Port in the United Kingdom and the Island of <i>Madeira</i> - - - - -	1	8
Between a Port in the United Kingdom and any Port in the Island of <i>Cuba</i> in the <i>West Indies</i> or any Port in <i>Columbia</i> or <i>Mexico</i> -	2	1
Between any Ports in the <i>British Possessions</i> in the <i>West Indies</i> and any Port in <i>Columbia</i> or <i>Mexico</i> - - - - -	1	0

4 E

Between

Between any Port in the United Kingdom and *Brazil* s. d.
- - - - - 2 7

Between any Port in the United Kingdom and *Buenos Ayres* or any other Ports on the Continent of *South America* (other than *Columbia*, *Brazil*, or *Mexico*) - - - - - 2 5

Between any Port in the United Kingdom and any Ports in the Island of *Saint Domingo* - - - - - 1 3

And the foregoing Rates shall be in addition to any Inland or other Postage for Transmission within the United Kingdom, except that Letters herein rated between *London* and a Place abroad shall not be charged any Inland Rate for the Distance between *London* and the Outport at which the Packet Boats conveying the same shall be stationed, but for the Distance any such Letters shall be conveyed to *London* (when going Outwards) or from *London* (when coming Inwards) the Inland Rates shall be payable :

Reduction of Inland Rates on Foreign Letters. - Nevertheless the Inland Rates on any such Foreign Letters shall be subject to the following Reductions ; (that is to say,)

For every Letter between *London* and *France*, or between *London* and any Country on the Continent of *Europe*, *Malta*, *Sicily*, the *Ionian Isles*, *Turkey*, *Levant*, or the *Archipelago* (passing through *France*, *Belgium*, *Holland*, or *Germany*, or between *London* and *Spain* otherwise than through *France*) :

If put in the Post Office beyond Twenty Miles from *London*, or delivered by the Post Office at any Place exceeding that Distance from *London*, on each Single Letter - - - - - 0 2

If put in the Post Office or delivered by the Post Office at any Place not exceeding Twenty Miles from *London*, on each Single Letter - - - - - 0 1

And a proportionate Reduction in both Cases for Double, Treble, and Ounce Letters :

And for every Letter sent by Packet Boat to *Portugal* or *Gibraltar*, or the *British Dominions* in *America* or the *West Indies* (except *Cuba* and *Saint Domingo*), or *Malta*, or the *Ionian Isles*, or the Kingdom of *Greece*, *Syria* or *Egypt*, *Madeira* or *Brazil*, or received by Packet Boats from those Places, the Inland Rate for every Single Letter shall be reduced One Penny, with a proportionate Reduction for Double, Treble, and Ounce Letters ; but no Reduction shall be made on Letters sent to or received from *Buenos Ayres*, *Columbia*, *Mexico*, *Cuba*, or *Saint Domingo*.

Postmaster empowered to treat with Foreign Countries.

XIV. And for the Regulation of the Communication by Post with Foreign Countries, be it enacted, That in all Cases in which there shall be a Treaty between the Postmaster General and the Post Office of a Foreign Country for collecting and accounting for the *British* Postage on Foreign Letters sent by the Post from the United Kingdom to that Foreign Country, or to any other Foreign Country, the Postmaster General may, so long as the Treaty or Agreement shall continue in force, receive upon any such Foreign Letter, from the Sender, the Postage both *British* and Foreign in one entire Sum, and upon Foreign Letters addressed to Places within Her Majesty's Dominions may, whether there shall be any such Treaty or not, charge

the Foreign Postage in addition to the *British* Postage, and he may account for and pay over to the Foreign Countries entitled to receive the same the Amount of all such Foreign Postage; and it shall be optional with the Sender of a Foreign Letter to a Foreign Country included in such Treaty, or to which the same shall extend, either to pay the *British* and Foreign Postage thereof in one entire Sum, or to send the Letter without paying any Postage either *British* or Foreign, or he may otherwise pay the *British* Postage only; and, subject to this Enactment, the Postmaster General may cause the Postage of all Letters sent out of the United Kingdom to be paid on being put into the Post Office.

XV. And be it enacted, That the Foreign Postage marked on a Letter brought into the United Kingdom shall in all Courts of Justice and other Places be received as conclusive Evidence of the Amount of Foreign Postage payable in respect of such Letter, in addition to the *British* Postage, and such Foreign Postage shall be recoverable within the United Kingdom and other Her Majesty's Dominions as Postage due to Her Majesty.

Foreign Postage marked on Letter conclusive Evidence thereof.

XVI. And be it enacted, That the Postmaster General may at any Time reduce all or any of the *British* Rates of Postage on Foreign Letters to such Extent as the Lords of the Treasury shall from Time to Time direct.

Postmaster, with Consent of the Treasury, may reduce Rates.

XVII. And whereas it may be expedient that Packet Boats should be established to Her Majesty's Colonies and Foreign Parts where Rates of Postage have not hitherto been authorized, and at a Time when Parliament may not be sitting; be it enacted, That from the Establishment of any such Packet Boats, the Postmaster General may, with the Consent of the Lords of the Treasury, charge for all Letters conveyed by such Packet Boats to the new Packet Port the Rates payable for Letters transmitted between the United Kingdom and the Packet Port nearest to any such new Packet Port: Provided, nevertheless, that in the then next Session of Parliament such Packet Rates to such new Packet Port shall be authorized by Law.

Establishment of new Packet Rates.

Postmaster empowered to charge proportionate Rates;

subject to Authorization of Parliament.

XVIII. And be it enacted, That the Postmaster General may contract for the Conveyance of Mails of Letters by *British* Vessels between any Places whatsoever, and may forward the same accordingly, and charge for such Conveyance the Packet Rates of Postage.

Power to contract with private Vessels to carry Mails.

XIX. And be it enacted, That the Postmaster General may collect and receive Letters directed to any Place in the United Kingdom, or any other Place within Her Majesty's Dominions or any Foreign Countries (the *Cape of Good Hope*, *Ceylon*, the *Mauritius*, and the *East Indies* excepted), and may forward the same by any Vessels, although not Packet Boats or Ships by which he shall have contracted for the Conveyance of Mails, and may charge for all Letters delivered to the Post Office for Conveyance in that Manner

Ship Letter Rates.

at

at the Time of such Delivery the following Rates of Postage ; (that is to say,)

For every Single Letter, except between *Great Britain* and *Ireland*, posted at the Port from which the Ship shall sail or at which she touches, a Rate of - - - - - 0 8

If posted at any other Part of the United Kingdom 1 0

And between *Great Britain* and *Ireland*, or any Port or Place in *Great Britain* or *Ireland*, in addition to any Inland Rates, for every Single Letter 0 8

Sea Postage on Letters not brought by Packet Boats.

XX. And be it enacted, That the Postmaster General may charge for every Single Letter brought into the United Kingdom by Vessels other than Packet Boats from Places within Her Majesty's Dominions, and any Kingdoms and Countries beyond the Seas (the *Cape of Good Hope*, *Ceylon*, the *Mauritius*, and the *East Indies* excepted), a Sea Postage, in addition to any Inland Rates, of Eightpence.

East India Postage.

XXI. And be it enacted, That for every Letter which shall be brought into the United Kingdom by any Vessel arriving from *Ceylon*, the *Mauritius*, the *East Indies*, or the *Cape of Good Hope* the following Sea Postage, in addition to any Inland Postage, shall be payable ; (that is to say,)

For every Letter not exceeding the Weight of s. d.

Three Ounces - - - - - 0 4

If exceeding the Weight of Three Ounces - 1 0 *per* Ounce.

East India Postage on Letters not sent by Packet Boat.

XXII. And be it enacted, That for Letters delivered to the Post Office to be sent out to *Ceylon*, the *Mauritius*, the *East Indies*, or the *Cape of Good Hope*, by Ships and Vessels other than Packet Boats, shall be payable, in addition to Inland Rates,

For every Letter not exceeding Three Ounces s. d.

a Sea Postage of - - - - - 0 2

If exceeding that Weight - - - - - 1 0 *per* Ounce.

Exemption from Ship Letter Postage.

XXIII. And be it enacted, That the following Persons shall have their Letters free from Sea Postage, (that is to say,) the Owners, Charterers, or Consignees (resident in the United Kingdom) of Vessels Inward-bound, and the Owners, Consignees, or Shippers of Goods on board Vessels Inward-bound ; but the Letters brought by any One Vessel to any One such Person shall not collectively exceed Six Ounces in Weight (except in the Case of Letters brought by Vessels coming from *Ceylon*, the *Mauritius*, the *East Indies*, or the *Cape of Good Hope*, for an Owner, Charterer, or Consignee of such Vessel, in which Case they may be collectively Twenty Ounces in Weight) ; and the Owner, Charterer, or Consignee shall be described as such on the Address and Superscription, and in the Case of Owners, Shippers, or Consignees of Goods, it shall also appear by the Ship's Manifest that they have Goods on board the Vessel ; and the Persons hereby exempted shall be entitled to have their Letters which come within the above Conditions before the Master of the Vessel delivers the other Letters in his Charge to the Post Office.

XXIV. And

XXIV. And for encouraging Masters of Vessels not being Post Office Packets to undertake the Conveyance of Letters between Places in the United Kingdom and between the United Kingdom and Places beyond the Seas, and for regulating the Conveyance and Delivery of such Letters, be it enacted, That the Postmaster General may allow to the Masters thereof Two-pence for each Letter which they shall receive from the Post Office when Outward-bound, and Two-pence for each Letter which they shall deliver to the Post Office at the first Port at which they touch or arrive or with which they communicate when Inward-bound; and if from unforeseen Circumstances the Master cannot upon delivering his Letters at an Outport receive the Money to which he is entitled he shall be paid by means of an Order of the Postmaster General at such other Place as may be convenient; but the Allowance hereby provided shall not extend to Masters of Vessels bound to *Ceylon*, the *Mauritius*, the *East Indies*, or the *Cape of Good Hope*, who shall carry Post Letters outward without being entitled to Remuneration; and every Master of a Vessel bound outward to *Ceylon*, the *Mauritius*, the *East Indies*, or the *Cape of Good Hope* shall receive on board his Vessel every Post Letter Bag tendered to him for Conveyance, and having received the same shall deliver it on his Arrival at the Port or Place of his Destination without Delay; and every Master of a Vessel bound inward shall cause all Letters on board his Vessel, except those belonging to the Owners of the Vessel or of the Goods on board which do not exceed the prescribed Weights, and except Letters exceeding the Weight of Three Ounces, to be collected, and enclosed in some Bag or other Envelope, and to be sealed with his Seal, and to be addressed to any of Her Majesty's Deputy Postmasters in *Great Britain* or *Ireland*, that they may be in readiness to send on Shore by his own Boat, or by the Pilot Boat, or by any other safe or convenient Means, in order that the same may be delivered at the first regular Post Office which can be communicated with, and shall likewise cause all Letters exceeding the Weight of Three Ounces (except such as may be obtained by Owners, Charterers, Consignees, and Shippers of the Vessel or of the Goods on board thereof, as aforesaid) to be collected, and enclosed in some Bag, Box, or other Envelope, to be sealed and addressed as aforesaid, and shall deliver the same at the regular Port or Place where the Vessel shall report; and shall at such Port or Place sign a Declaration, in the Presence of the Person authorized by the Postmaster General at such Port or Place, who shall also sign the same; and the Declaration shall be in the Form or to the Effect following; (that is to say,)

‘ I *A.B.*, Commander of the [*state the Name of the Ship or Vessel*], arrived from [*state the Place*], do, as required by Law, solemnly declare, That I have to the best of my Knowledge and Belief delivered or caused to be delivered to the Post Office every Letter, Bag, Package, or Parcel of Letters that were on board the [*state the Name of the Ship*], except such Letters as are exempted by Law.’

And no Collector, Comptroller, or principal Officer of the Customs shall permit such Vessel to report till such Declaration shall be made and produced; and no Vessel shall be permitted by any Officer of Customs to break Bulk or to make Entry in any Port

Regulations
respecting
Ship Letters.

Remuneration to Masters of Vessels.

East India Vessels are to carry Letters without Remuneration.

Masters to cause Letters to be delivered to Post Office at earliest Opportunity;

to make a Declaration of Delivery.

No Vessels to be permitted to break Bulk till all Letters are delivered.

ters are de-
livered.

Exceptions.

Customs

Officers may
seize Letters,
and shall
have Half
the Penalties.

Port of the *British* Dominions until all Letters on board the same shall be delivered to the Post Office where Posts are or hereafter may be established, and from whence such Letters may be despatched by Post, except such Letters, Commissions, and other Matters and Things as are exempted by the Post Office Acts from the exclusive Privilege of the Postmaster General, and also except all such Letters as shall be brought by a Vessel liable to the Performance of Quarantine, all which last-mentioned Letters shall be delivered by the Persons having Possession thereof to the Persons appointed to superintend the Quarantine, that all proper Precautions may be by them taken before the Delivery thereof, and when due Care has been had therein the said Letters shall be by them despatched in the usual Manner by the Post; and the principal Officer of Customs at every Port shall search every Vessel for Letters which may be on board contrary to the Post Office Acts, and may seize all such Letters, and forward them to the nearest Post Office, and the Officer who shall so seize and send them shall be entitled to a Moiety of the Penalties which may be recovered for any such Offence; and in case an Officer of Her Majesty's Customs shall find a Letter superscribed as the Letter of an Owner or Charterer, or Consignee or Shipper, exceeding the Weight herein-before limited, then the Officer shall seize so many of the Letters as shall reduce the Remainder within the proper Weight, and he shall take the same to the nearest Post Office; and the Postmaster of the Place shall pay to the Officer delivering the same Two Shillings and Sixpence for every Post Letter so seized; and the Postmaster General may appoint any Person to demand from the Masters of Vessels arriving at or off a Port of the United Kingdom all Letters on board the same not exempted by the Post Office Acts, and the Master of any such Vessel shall forthwith deliver all Letters on board to such Person, on his demanding the same.

Registry of
Letters.

XXV. And whereas it may be expedient that certain Post Letters should be registered; be it enacted, That in case the Postmaster General shall at any Time deem it expedient that any Post Letters should be registered by the Post Office, the Postmaster General may charge for each Letter so registered such Rate of Postage, in addition to any other Rates payable under the Post Office Acts, as the Postmaster General, with the Consent of the Lords of the Treasury, shall from Time to Time direct (but such Registration shall not render the Postmaster General or the Post Office Revenue in any Manner liable for the Loss of any such Post Letters or the Contents thereof); and all registered Letters shall be delivered to the Post Office, and also be delivered by the Post Office at or between such Hours in the Day and under all such Regulations in every respect as the Postmaster General shall from Time to Time appoint, and the Postmaster General may therein require such Registration Rate to be paid on the Letter being put into the Post Office.

Computing
the Rates of
Postage:

British Let-
ters:

XXVI. And for computing the several Rates of Postage by the General Post, be it enacted, That every Post Letter (not a Foreign Letter) consisting of One Sheet or a single Piece of Paper under the Weight of One Ounce shall be charged as a Single Letter; and every Letter consisting of Two Sheets or Two Pieces of Paper, or

containing any Inclosure, shall be charged with Double the Rate of a Single Letter; and every Letter consisting of Three Sheets or Three Pieces of Paper, or containing Two Inclosures, shall be charged with Treble the Rate of a Single Letter; and no Letter shall be charged at a higher Rate than a Treble Letter, unless it be One Ounce in Weight, and in that Case, whether it be a Single or Double or Treble Letter, it shall be charged for One Ounce. Four Times the Postage of a Single Letter, and for every Quarter of an Ounce beyond that Weight the Postage of a Single Letter; and all additional Rates of Postage shall be chargeable in like Manner: And the Postage of Foreign Letters shall be computed thus;—Letters between the United Kingdom and *France*, or between the United Kingdom and any other Country, Island, or Place, passing through *France*, shall be charged for every Letter consisting of One single Piece of Paper not exceeding One Ounce in Weight; and for any Letter, whatever may be the Number of Inclosures, not exceeding One Quarter of an Ounce in Weight, the Postage of a Single Letter; and for every Letter containing One Inclosure only, and not exceeding One Ounce in Weight, the Postage of a Double Letter; and for every Letter containing more than One Inclosure, whatever the Number of such Inclosures may be, exceeding One Quarter of an Ounce, but not exceeding One Half of an Ounce in Weight, the Postage of a Double Letter; and for every such last-mentioned Letter exceeding Half an Ounce and not exceeding One Ounce in Weight the Postage of a Treble Letter; and for every such Letter exceeding One Ounce in Weight the Postage of Four Single Letters; and for every Quarter of an Ounce above that Weight the Postage of a Single Letter: And the Postage of all other Foreign Letters shall be charged and computed thus;—for every Single Letter not exceeding the Weight of an Ounce a Single Postage; for every Letter containing One Inclosure only Double the Postage of a Single Letter; and for every Treble Letter Treble the Postage of a Single Letter; and for every Ounce in Weight Four Times the Postage of a Single Letter; and for every Quarter of an Ounce above that Weight the Postage of a Single Letter: And with respect both to *British* and Foreign Letters, all Merchants Accounts, Bills of Exchange, Stamped Receipts, Invoices, Bills of Lading, and Proceedings at Law, written on One and the same Piece of Paper with a Letter, shall be allowed without Rate in the Price of the Letter; and any Piece or Sheet of Paper upon which Letters to several and distinct Persons shall be written shall not be chargeable with a higher Rate of Postage than if One Letter only were written upon such Sheet or Piece of Paper.

XXVII. And to the end that all Post Letters may be charged with Postage according to the Distance they are respectively carried by the Post, and for preventing Disputes touching the same, be it enacted, That the Postmaster General may appoint Persons to survey or measure, by the Wheel or otherwise, all the Post Roads which are now established or which shall hereafter be established in any Part of *Great Britain* or *Ireland* and other Her Majesty's Dominions; but before the Surveys shall be made the Persons appointed shall be sworn to perform the same according to

Foreign
Letters.

Merchants
Accounts.

Survey of
Roads for
Standards of
Distances
whereby to
compute
Postages.

to the best of their Skill and Judgment; and the Oath shall be administered by a Justice of the Peace, who shall make a Certificate thereof in Writing, which Certificate shall be entered without Fee or Charge in the General Post Office of *London*, and in the chief Post Offices of *Edinburgh* and *Dublin*, and in the chief Post Offices established in any of Her Majesty's Dominions; and such Surveyors shall cause fair Surveys or Books to be made out, one of each whereof shall be left with Her Majesty's Postmaster General in *London*, and another of each shall be left at the chief Post Office in *Edinburgh* with the Postmaster General's Secretary there, and another of each of such Surveys or Books shall be left at the chief Post Office in *Dublin* with the Postmaster General's Secretary there, and another of each of such Surveys or Books shall be left at each of the chief Post Offices established in any other of Her Majesty's Dominions with the respective Deputies or Agents of the Postmaster General there, to remain in the said Post Offices; and each of such Surveys or Books shall be signed by the Person making the same, and he shall make Oath of the Truth of such Surveys; and such Oath shall be administered by a Justice of the Peace on Application to that Effect; and a Certificate of such Surveyor having sworn to the Truth thereof shall be signed by the Postmaster General, or by his Secretary or Deputy in such chief Post Office; and the Books and Surveys so verified shall determine the Distances on all the Post Roads surveyed; and in case of Suspicion of Error or wrong Admeasurement the Postmaster General may cause new Surveys to be made, and the last Survey which shall be made, and shall be verified and attested in the Manner hereby prescribed, shall in all Courts of Justice be Evidence of the Distances on such Post Roads; and all Rates granted by this Act for Post Letters shall be paid according to such Surveys.

Special Rates
respecting
Newspapers,
&c.

XXVIII. And be it enacted, That the Articles enumerated in the following Table may be sent free of Postage, or at a reduced Rate of Postage, according to the Rates therein set forth:—

Printed *British* Newspapers:

Within the United Kingdom:

By the General Post from one Post Town to another within the United Kingdom	- - - - -	Free.
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By the General Post, and delivered by any Penny or Twopenny Post	- - - - -	Free.
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By any Penny or Twopenny Post, and afterwards passing by the General Post from one Post Town to another	- - - - -	Free.
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By any Penny or Twopenny Post, and not passing or intended to pass by the General Post	- - - - -	1d. each.
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By the General Post of a Post Town, addressed to a Person within the Limits of that Place or its Suburbs	- - - - -	1d. each.
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Between Places within the United Kingdom:

By private Ships	- - - - -	1d. each.
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Between the United Kingdom and Her Majesty's Colonies:

By Packet Boats to any of Her Majesty's Colonies and Possessions beyond the Seas	- - - - -	Free.
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By private Ships	- - - - -	1d. each.
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Printed Colonial Newspapers :

Brought into the United Kingdom by Packet Boats - Free.

Directed to a Place in any of Her Majesty's Colonies beyond the Seas, to pass through the United Kingdom and to be forwarded by Packet Boats - Free.

Brought into the United Kingdom by private Ships, and delivered by the Master at the Post Office - 1d. each.

Newspapers between Foreign Countries and the United Kingdom :

Printed *British* Newspapers :

Either by Packet Boats or private Ships, between any Foreign Port (not in Her Majesty's Colonies or Possessions) and the United Kingdom - 2d. each.

When *British* Newspapers are allowed to pass by Post in a Foreign Country free, then *British* Newspapers addressed to such Foreign Country may be transmitted to any Foreign Port by Packet Boats - Free.

If transmitted by private Ships - 1d. each.

Printed Foreign Newspapers :

Brought into the United Kingdom by Packet Boats or private Ships - 2d. each.

If *British* Newspapers are allowed to pass by Post, free, in a Foreign Country :

Newspapers printed in that Country brought by Packet Boat to the United Kingdom - Free.

If brought by private Vessels - 1d. each.

Newspapers between the Colonies and Foreign Countries through the United Kingdom :

If sent by private Ships - 1d. each.

Colonial Newspapers sent by Packet Boat through the United Kingdom to a Foreign State (subject to the Consent of the Lords of the Treasury) - Free.

Foreign Newspapers sent by Packet Boat through the United Kingdom to the Colonies (subject to the like Consent) - Free.

Parliamentary Proceedings :

Printed Votes and Proceedings of the Imperial Parliament sent to Her Majesty's Colonies by Packet Boat :

If not exceeding an Ounce - 1½d. each.

For every additional Ounce - 1½d.

Printed Votes and Proceedings of the Colonial Legislature sent to the United Kingdom by Packet Boat :

If not exceeding an Ounce - 1½d. each.

For every additional Ounce - 1½d.

Printed Prices Current :

To Cape of Good Hope, Ceylon, the Mauritius, and the East Indies :

For each Packet not exceeding an Ounce - 1d.

For each Packet exceeding an Ounce per Ounce 1d.

Periodical Publications :

Pamphlets, Magazines, Reviews, and other periodical Publications posted at *Falmouth* may be transmitted by Packet Boat to any of Her Majesty's Colonies at a Rate for each Publication :

	s.	d.
Not exceeding Six Ounces in Weight	-	1 0
For every Ounce beyond that Weight	-	0 3

Unstamped Publications :

Unstamped printed Publications may be sent at such a Rate or annual Sum as the Postmaster General (with the Consent of the Lords of the Treasury) shall agree upon with the Editor, Proprietor, or Publisher.

Bankers Parcels :

Packets delivered at the General Post Office, *London*, containing re-issuable Cash Notes only, issued by Country Bankers under Licence, and payable at their Agents in *London* (and which shall have been paid by them), for Conveyance to the Place where the Notes were issued (within *Great Britain*), subject to the Conditions herein-after mentioned

One Fourth
of the Postage
for a Packet of
that Size.

Patterns :

Packets or Covers containing Patterns or Samples, being open at the Sides, and not exceeding One Ounce, and without any Letter or Writing in, upon, or within any such Packet or Cover, other than the Name of the Sender, his Place of Abode, the Prices of the Articles contained therein, and the Name and Address of the Person to whom the Packet or Cover shall be sent

The Postage
of a Single
Letter.

Letters not open at the Sides containing Patterns or Samples, and not exceeding One Ounce in Weight

Postage of a
Double Letter.

Not compulsory to send Newspapers by Post.

XXIX. And be it enacted, That although Newspapers may be sent by the Post, and thereupon are subject to the Rate of Postage set forth in the above Table, it shall not be compulsory to send them by Post.

Conditions to be observed in sending printed Papers by Post.

XXX. And be it enacted, That no printed Paper, whether Newspaper, Votes and Proceedings in Parliament, or other Publication or Thing contained in the above Table, excepting Bankers Parcels and Pattern Letters, shall be sent by Post, either free or at a reduced Rate of Postage, unless the following Conditions shall be observed :—

First, It shall be sent without a Cover, or in a Cover open at the Sides :

Second, There shall be no Words or Communication printed on the Paper after its Publication, or upon the Cover thereof, nor any Writing or Marks upon it or upon the Cover of it, except the Name and Address of the Person to whom sent :

Third, There shall be no Paper or Thing inclosed in or with any such Paper or Publication :

Fourth,

Fourth, And the said printed Papers and Publications shall be put into the Post Office at such Hours, in the Day and under all such Regulations as the Postmaster General may appoint, including therein the Payment of Postage on such as are going out of the United Kingdom when put into the Post Office, if the Postmaster General shall so require :

Fifth, All Foreign Newspapers brought into the United Kingdom under this Act to be printed in the Language of the Country from which they shall have been forwarded.

XXXI. And be it enacted, That the Postmaster General may examine any printed Paper or Packet which shall be sent by the Post without a Cover, or in a Cover open at the Sides, in order to discover whether it is contrary in any respect to the Conditions hereby required to be observed, and also in the Case of Newspapers to ascertain in what Language the Newspapers brought into the United Kingdom from any Foreign Country shall be printed and published, and also in order to discover whether the Newspapers printed and published in the United Kingdom are duly stamped ; and in case any One of the required Conditions has not been fulfilled the whole of every such Paper shall be charged with Treble the Duty of Postage, except as to Foreign Newspapers not printed in the Language of the Country from which they shall have been forwarded, which shall be charged with full Postage as Letters ; and as to every such Paper going out of the United Kingdom, the Postmaster General may either detain the Paper, or forward the same by the Post charged with Treble the Duty of Postage ; and in case a Newspaper printed in the United Kingdom and transmitted by the Post under this Act shall appear not to have been duly stamped the same shall be stopped, and sent to the Commissioners of Stamps either at *London* or *Dublin*, as the Case may be.

Power to
search Papers
sent by Post.

XXXII. And be it enacted, That in all Cases in which a Question shall arise whether a printed Paper is entitled to the Privileges of a Newspaper or other Publication hereby privileged, so far as respects the Transmission thereof by the Post under the Post Office Acts, the Question shall be referred to the Determination of the Postmaster General, whose Decision, with the Concurrence of the Lords of the Treasury, shall be final.

Postmaster
and Treasury
to determine
Questions.

XXXIII. And for providing for the Transmission of Newspapers between the United Kingdom and Foreign Countries free of Postage, when satisfactory Proof shall be laid before the Postmaster General that *British* Newspapers, addressed either to a Person or to a Place within a Foreign Country, and, also that Newspapers addressed to a Person or to a Place in the United Kingdom from such Foreign Country, are respectively allowed to pass by the Post within that Country free of Postage, be it enacted, That the Postmaster General may, with the Consent of the Lords of the Treasury, transmit by Post *British* Newspapers addressed to a Person or to a Place in such Foreign Country from the United Kingdom to any Port out of the United Kingdom other than Her Majesty's Colonies and Possessions, free from Postage ; and he may, with the like Consent, receive from such

Transmission
of News-
papers be-
tween the
United King-
dom and
Foreign
Countries.

such Foreign Country Foreign Newspapers free from Postage ; or he may, with the like Consent, charge for every Newspaper transmitted to or received from a Foreign Country a Rate of Postage which he may consider equivalent to the Rates of Postage payable in that Country on Newspapers either transmitted from or received in that Country ; but in all Cases, whether the Newspaper be transmitted free or otherwise, subject to a Sea Postage of One Penny payable on the Newspaper being put into the Post Office for every Newspaper delivered at the Post Office to be conveyed by Vessels not being Post Office Packets, and also to a like Postage for every Newspaper received by Vessels not Post Office Packets addressed to a Person or to a Place within the United Kingdom.

Postmaster
empowered
to reimpose
the Foreign
Duty on
Newspapers.

XXXIV. And whereas Circumstances may arise which may render it expedient again to impose the Rates of Two-pence on Newspapers ; be it enacted, That the Postmaster General, with the Consent of the Lords of the Treasury, may again impose the respective Rates of Two-pence both on Newspapers received from and sent to Foreign Countries.

Transmission
of Newspa-
pers free
between the
Colonies and
Foreign
Countries.

XXXV. And be it enacted, That the Postmaster General may, with the Consent of the Lords of the Treasury, extend this Act, so far as it relates to Newspapers sent between the United Kingdom and any Foreign Country, to Colonial Newspapers sent through the United Kingdom to a Foreign Country, and to Foreign Newspapers sent through the United Kingdom to any Foreign Country or to any of Her Majesty's Colonies and Possessions beyond the Seas.

Time within
which British
Newspaper
to be sent
abroad in
order to be
Postage free
must be put
in the Post.

XXXVI. And be it enacted, That every *British* Newspaper sent by the Post out of the United Kingdom shall in all Cases be put into a Post Office or Receiving Office in the United Kingdom within Seven Days next after the Day on which the same shall be published, the Day of Publication to be ascertained by the Date of such Paper ; and in case a Paper shall be put into a Post Office after the Expiration of such Seven Days the Postmaster General may either detain the Paper, or forward it by Post charged with full Postage as a Letter.

Foreign
Newspapers
addressed to
a Person who
has removed
to be for-
warded with-
out additi-
onal Postage.

XXXVII. And be it enacted, That in case any Person to whom a printed Newspaper brought into the United Kingdom shall be directed shall have removed from the Place to which it shall be directed before the Delivery thereof at that Place, it may (provided it shall not have been opened) be re-directed, and forwarded by Post to such Person at any other Place within the United Kingdom, free of Charge for such extra Conveyance ; but if the Newspaper shall have been opened it shall be charged with the Rate of a Single Letter from the Place of Re-direction to the Place at which it shall be ultimately delivered.

Allowance to
Master of
Vessel for
carrying
Newspapers.

XXXVIII. And be it enacted, That the Postmaster General may allow the Masters of Vessels other than Packet Boats One Penny on every printed Newspaper, Foreign or Colonial, brought into the United Kingdom from a Port or Place out of the United Kingdom, and delivered by them at the Post Office of the Post Town at which

they shall touch or arrive; and the like Sum of One Penny on every printed Newspaper delivered by the Postmaster General to any such Masters for Conveyance to a Port or Place out of the United Kingdom, or between any Places within the United Kingdom under the Post Office Acts.

XXXIX. And be it enacted, That the Postmaster General, in his Discretion, may receive at the General Post Office in *London* Packets containing re-issuable Cash Notes only, issued by Country Bankers under annual Licence, and payable at the Houses of the respective Agents in *London* (and which Notes shall have been paid by such Agents in *London*), for Conveyance by Post within *Great Britain*, at his Discretion, to the Bank in the Place at which such Cash Notes were first issued, and to no other Place, at One Fourth the usual Postage for a Packet of that Size; but no Packet shall be conveyed under this Provision unless it shall exceed Six Ounces in Weight, and be superscribed "Re-issuable Country Bank Notes only," and shall be certified by the Signature of the Agent or Agents of such Country Bank, or One of them, in his or their own Handwriting, and shall contain no Writing or Communication, or Matter or Thing, except Cash Notes; and such Packets shall be delivered at the General Post Office in *London* at such Hours in the Day and under all such Regulations as the Postmaster General shall appoint, and shall also be delivered by the Deputy Postmaster in the Country under all such Regulations and Restrictions as the Postmaster General shall from Time to Time think fit to appoint; and the Postmaster General may detain, and in the Presence of the Sender thereof, or in his Absence in case of Non attendance after Notice in Writing left at his usual Place of Abode or Place of Business requiring his Attendance, may open and examine the same, in order to discover whether any Writing, Communication, Matter, or Thing other than re-issuable Notes only shall be contained therein, and in case upon Examination thereof it shall be discovered that any Writing, Communication, Matter, or Thing other than re-issuable Notes shall be contained therein, then the Postmaster General may retain the Packet until the Penalty imposed by the Post Office Acts upon the Sender for offending herein shall be paid.

Bankers
Parcels:

Conditions:

may be
searched.

XL. And be it enacted, That the following Classes of Persons may both send and receive Single Letters by the Post on their own private Concerns only, at the reduced Postage of One Penny for each Single Letter; (*videlicet*,)

Soldiers or
Seamen's
Letters.

Every Seaman employed in Her Majesty's Navy within Her Majesty's Dominions, whether at home or abroad, whilst such Seaman shall be actually employed in Her Majesty's Service:

Enumeration
of Persons
privileged.

Every Serjeant, Corporal, Drummer, Trumpeter, Fifer, and Private Soldier in Her Majesty's Regular Forces, Militia, Fencible Regiments, Artillery, or Royal Marines within Her Majesty's Dominions, whether at home or abroad, whilst actually employed in Her Majesty's Service:

Every Seaman employed in Her Majesty's Navy in the *East Indies*, or at *Ceylon*, the *Mauritius*, *Saint Helena*, or the *Cape of Good Hope*:

Every Serjeant, Corporal, Drummer, Trumpeter, Fifer, and Private Soldier in Her Majesty's Regular Forces, Militia, Fencible Regiments, Artillery, or Royal Marines, whilst actually employed in Her Majesty's Service in the *East Indies*, or at *Ceylon*, the *Mauritius*, *Saint Helena*, or the *Cape of Good Hope* :

Every Serjeant, Corporal, Drummer, Trumpeter, Fifer, and Private Soldier in the Service of the *East India* Company, whilst actually employed in the Service of the Company :

Exclusion of
certain Per-
sons.

But the Letters of Commissioned Officers or Warrant Officers, either in the Army or Navy, or Midshipmen or Master's Mates of the Navy, are not included in this Provision :

Conditions to
be observed
in sending
Letters of
this Class.

And with respect to Letters sent by any such privileged Persons the following Conditions shall be observed ; (that is to say,) the Postage shall be paid on putting the Letter into a Post Office established under the Authority of the Postmaster General, and upon such Letter shall be superscribed the Name of the Writer, and his Class or Description in the Vessel, Regiment, Corps, or Detachment to which he shall belong ; and upon every such Letter there shall be written in the Handwriting of and signed by the Officer having at the Time the Command of the Vessel, or of the Regiment, Corps, or Detachment to which the privileged Person belongs, the Name of such Officer, and the Name of such Vessel, or of such Regiment, Corps, or Detachment :

Conditions to
be observed
in regard to
Letters of
this Class
received.

And with respect to Letters received by the Post by any of the said privileged Persons, the following Conditions shall be observed :— The Postage of each Letter shall be paid upon putting it into a Post Office established under the Authority of the Postmaster General, and it shall be directed to the privileged Person, specifying on the Superscription thereof the Vessel, or the Regiment, Corps, or Detachment to which he shall belong ; and the Deputy Postmaster of the Place to which such Letter shall be sent to be delivered shall not deliver such Letter to any Person except the Person hereby privileged to whom it shall be directed, or to some Person appointed to receive the same, by Writing under the Hand of the Officer in Command :

Additional
Sea Postage
to be paid in
certain Cases.

But whenever any of the above-mentioned privileged Persons shall be employed in Her Majesty's Service, or in the Service of the *East India* Company, in the *East Indies*, or at *Ceylon*, the *Mauritius*, *Saint Helena*, or the *Cape of Good Hope*, the Letters sent by them shall be charged to the Party receiving them with an additional Sea-postage of Two-pence each, as well as the Inland Postage of One Penny, making the whole Three-pence, unless the Letters are delivered into a Post Office of the United Kingdom free of Expence to the Post Office, in which Case they shall be charged the Inland Postage of One Penny only :

Soldiers and
Seamen's
Letters
exempt from
local Rates
in certain
Cases.

And the privileged Letters of Persons privileged under this Enactment shall be exempt from the Payment of the local Rates of Postage by Penny or Twopenny Posts, when they have passed through or when they are intended to pass through the General Post.

XLI. And be it enacted, That in all Cases in which a Letter addressed to a Commissioned Officer of the Army, Navy, or Ordnance, or any of the Departments belonging thereto respectively, at a Place where such Officer shall have been employed on actual Service, shall be forwarded by the Post, and before the Delivery of the Letter the Officer shall have removed from that Place to another Place in the Execution of his Duty, the Letter shall be forwarded to the latter Place, and shall not be charged with more than the Postage payable for the Letter at the Place to which it was originally addressed.

If an Officer has removed Postage not to be charged on Letters forwarded to him.

XLII. And be it enacted, That all the Provisions of this Act shall be construed according to the respective Interpretations of the Terms and Expressions contained in an Act passed in the present Session, intituled *An Act for consolidating the Laws relative to Offences against the Post Office of the United Kingdom, and for regulating the judicial Administration of the Post Office Laws, and for explaining certain Terms and Expressions employed in those Laws*, so far as those Interpretations are not repugnant to the Subject, or inconsistent with the Context of such Provisions.

Interpretation Clause.

XLIII. And be it enacted, That this Act may be repealed or altered during the present Session of Parliament.

Act may be altered this Session.

LONDON: Printed by GEORGE EYRE and ANDREW SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1837.



ANNO PRIMO

VICTORIÆ REGINÆ.

C A P. XXXV.

An Act for regulating the sending and receiving
of Letters and Packets by the Post free from the
Duty of Postage. [12th July 1837.]

WHEREAS an Act was passed in this present Session of
Parliament, intituled *An Act to repeal the several Laws* 1 Vict. c.32.
relating to the Post Office; be it enacted by the Queen's
most Excellent Majesty, by and with the Advice and Consent of the
Lords Spiritual and Temporal, and Commons, in this present Parliament
assembled, and by the Authority of the same, That on the Day on
which the recited Act shall come into operation this Act shall come
into operation for granting and regulating the Privilege of receiving
and sending Letters by the Post free from the Duty of Postage. Commence-
ment of Act.

II. And be it enacted, That the Letters of Her most Excellent
Majesty transmitted by Post, either to or from Her Majesty, shall be
exempt from Postage. Her Majesty's
Letters free.

III. And be it enacted, That the Letters of the under-mentioned
Classes of Persons transmitted by Post, either to or from them,
shall, subject to the Conditions herein-after stated, be exempt from
Postage :— Letters of
certain
Officers free.

CLASS I.

Members of each House of Parliament.

CLASS II.

Clerk of the Parliament.
 The Clerk Assistant of the House of Lords.
 The Reading Clerk of the House of Lords.
 The Clerk of the House of Commons.
 The Two Clerks Assistant of the House of Commons.
 The Chief Clerk without Doors of the House of Commons (who receives the Fees and pays the Officers of the House).

CLASS III.

The Secretaries and Assistant Secretary of the Treasury.
 The Postmaster General, the Secretary and Assistant Secretary of the Postmaster General, in *England*.

CLASS IV.

The Lord High Chancellor of *Great Britain*.
 The Speaker of the House of Commons.
 The Lord High Treasurer or First Lord Commissioner of Her Majesty's Treasury of the United Kingdom of *Great Britain* and *Ireland*.
 The Commissioners of the Treasury.
 Her Majesty's Principal Secretaries of State, and their Under Secretaries.
 The Chancellor of Her Majesty's Exchequer.
 The President and Vice President of the Committee of Council appointed for the Consideration of Matters relating to Trade and Foreign Plantations.
 The Clerks of Her Majesty's Most Honourable Privy Council.
 The First Commissioner of Woods and Forests.
 The President of the Board of Commissioners for the Affairs of *India*.
 The Secretaries to the Board of Commissioners for the Affairs of *India*.
 The Judge Advocate General.
 The Secretary of the Postmaster General in *Ireland*.
 The Surveyors of the Post Office in *England*.
 The Secretary of the Postmaster General in *Scotland*.
 The Surveyors of the Post Office in *Scotland*.
 The Commander in Chief of Her Majesty's Forces in *Great Britain*.
 The Secretary to the Commander in Chief of Her Majesty's Forces in *Great Britain*.
 The Master General of the Board of Ordnance.
 One of the Secretaries of the said Master General of the Board of Ordnance.
 The Secretary to the Board of Ordnance.
 The Inspector General of Fortifications.
 The Quartermaster General of Her Majesty's Forces in *Great Britain*.
 The Adjutant General of Her Majesty's Forces in *Great Britain*.
 The Secretary at War.
 The Deputy Secretary at War.

Her Majesty's Paymaster General.

The Lord High Admiral or First Lord Commissioner of the Admiralty.

The Commissioners of the Admiralty.

The Secretaries of the Admiralty.

Her Majesty's Lieutenant General or other Chief Governor or Governors of *Ireland*;

And his or their Chief Secretary, Under Secretary, and Private Secretary respectively.

CLASS V.

The Lord Chancellor of *Ireland*.

The Surveyors of the Post Office in *Ireland*.

CLASS VI.

The respective Departments and Offices mentioned in the First Column of Schedule (A.), in respect of the Official Correspondence of such Departments and Offices.

CLASS VII.

Persons being at the Head of the several Departments and Offices mentioned in the First Column of Schedule (B.), in respect of their Official Correspondence.

CLASS VIII.

The Persons mentioned in the Third Column of Schedule (C.), in respect of their Official Correspondence.

CLASS IX.

The several Officers herein-after specified belonging to the Offices mentioned in the First Column of Schedule (D.), in respect of the Official Correspondence of such Offices.

CLASS X.

Commissioners, whether for permanent or temporary Purposes, appointed by Act of Parliament or appointed by Her Majesty's Letters Patent, to which Commissioners the Privilege is granted by this or by any subsequent Act, in respect of their Correspondence relating to the Business of their Commission.

IV. And be it enacted, That the Privilege of the Persons of the First Class shall last no longer than during the Session of Parliament, and Forty Days before a Summons, or Forty Days after a Prorogation; and the Privilege shall extend to the sending of Ten Letters every Day, each not exceeding an Ounce in Weight, to Places within the United Kingdom; and to the Receipt from Places within the United Kingdom of Fifteen Letters every Day, each not exceeding the same Weight; and to the Power of receiving and sending printed Votes and Proceedings in Parliament from and to Places within the United Kingdom; and to receiving Petitions addressed to either House of Parliament, not exceeding Six Ounces in Weight each; but in order to exempt

Extent and
Conditions
of Privilege
of 1st Class.

exempt the above-mentioned Letters and Papers from Postage the following Conditions shall be observed:—Every Letter sent shall be subject to the same Conditions as are herein-after expressed with regard to the Letters of all Persons of the first Five Classes having the Privilege of Franking; and every Letter received shall be directed either to the Place where the privileged Person shall actually be at the Time of the Delivery thereof, or at his usual Place of Residence in *London*, or at the House of Parliament or at the Lobby of the House of Parliament of which he shall be a Member; and all printed Votes and Proceedings in Parliament and printed Parliamentary Papers shall be sent without Covers, or in Covers open at the Sides, and shall be signed by the privileged Person sending them, in the Manner heretofore practised; and all Petitions shall be sent without Covers, or in Covers open at the Sides; and the Power of receiving Votes and Proceedings shall be restricted to the Places within the United Kingdom of which the privileged Person shall have previously given Notice to the Postmaster General, either at *London* or *Dublin*.

Extent and
Conditions of
Privilege of
2d Class.

V. And be it enacted, That the Privilege of the Persons of the Second Class shall extend both to Letters and Parliamentary Proceedings and Papers, and shall be subject to the Regulations and Restrictions to which that of the First Class is subject, except as to the Number of such Letters, which shall be without Limit, and except as to the Weight of such Letters, which shall not exceed Two Ounces each.

Extent and
Conditions of
Privilege of
3d Class.

VI. And be it enacted, That the Privilege of the Members of the Third Class shall extend to the sending and receiving all Letters, without Limit as to either Number or Weight; and with respect to Letters sent by them it shall be unnecessary to insert in the Superscription the Name of the Post Town, or the Date of the Day, Month, or Year when sent, but nevertheless the whole Superscription shall be of the Handwriting of the Person sending the same.

Extent of
Privilege of
4th Class.

VII. And be it enacted, That the Privilege of the Members of the Fourth Class shall extend to the sending and receiving all Letters, without Limit as to either Number or Weight.

Extent of
Privilege of
5th Class.

VIII. And be it enacted, That the Privilege of the Members of the Fifth Class shall extend to the sending and receiving of all Letters to and from Places within *Ireland*, without Limit as to either Number or Weight.

Conditions to
be observed
by the first
Five Classes
in regard to
Letters sent
by them.

IX. And be it enacted, That all Letters sent by privileged Persons of the foregoing Five Classes shall, except so far as has been excepted in reference to the Members of the Third Class, be subject to the following Conditions:—The whole Superscription shall be of the Handwriting of the privileged Person sending the same, and shall contain the Name of such Person, together with the Name of the Post Town from which the same is intended to be sent, and the Day, Month, and Year when the same shall be put into the Post Office, the Day of the Month to be in Words at Length, and the whole Direction and Superscription to be of the Handwriting of the privileged

leged Person; and every such Letter shall be put into the General Post Office or other Post Office, or into a Receiving House or Place appointed by Her Majesty's Postmaster General for the Receipt of Letters and Packets to be forwarded by the Post, on the Day of the Date written upon such Letter; and the privileged Person whose Name shall be written thereon shall, for the Purpose of exempting the Letter from Postage, actually be in the Post Town where such Letter shall be put into the Post Office, or within Twenty Miles of such Post Town, on the Day or on the Day next before the Day on which such Letter shall be put into the Post Office.

X. And be it enacted, That the Privilege of sending and receiving Letters (free of Postage) of the Officers of the Sixth, Seventh, Eighth, and Ninth Classes shall be subject to the following Conditions:—Every Letter shall be on the public Business of the Office or Department from which the same shall be forwarded, or to which the same shall be addressed, and shall be superscribed in the Manner set forth in the Third Column of Schedules hereto annexed; and the Indorsement on each Letter sent from any such Office or Department shall be superscribed with the Signature of the Person authorized to make the same, and the Letter shall be sealed with the Seal of the Office or the Seal of the principal Officer in that Department; and the Persons being at the Head of any Office or Department mentioned in the First Column of the Schedules (A.), (B.), and (D.) hereto annexed may direct certain Persons in each of their Departments to make the foregoing Superscription upon each Letter which shall concern the public Business of their respective Offices; and the Names of such authorized Persons shall be transmitted by the principal Officer authorizing them to the General Post Office in *London*, where the Offices or Departments shall be in *London*, and to the General Post Office in *Dublin* where the Offices or Departments shall be in *Dublin*; but the Number of Persons so appointed shall not exceed Two in any Department in Schedule (A.), except in the Admiralty Office, the War Office, and the Paymaster General's Office; and in the Admiralty Office the Number shall not exceed Thirteen in Time of Peace and Seventeen in Time of War; and the Number in the War Office shall not exceed Six in Time of Peace and Ten in Time of War; and the Number in the Paymaster General's Office shall not exceed Three; and in all other Cases shall not exceed One in any Department or Office, except the Lord Lieutenant's Chief Secretary's Office in *Ireland*, where the Number shall not exceed Two.

Extent and
Conditions of
Privilege of
6th, 7th, 8th,
and 9th
Classes.

XI. And be it enacted, That the Privilege of Franking of Offices mentioned in the Schedules hereto shall be subject to the Limitations expressed in the Fifth Column thereof.

As to Offices
named in the
Schedules.

XII. And for the general Regulation of the Official Privilege of Franking hereby or by any subsequent Act granted to the Officers or Commissioners respectively belonging to the Offices and Commissions specially mentioned in the Schedules hereto annexed, and respectively included in the Sixth, Seventh, Ninth, and Tenth Classes, or to any other Office or Commission of a like Nature, be it enacted, That the Persons being respectively at the Head of such Offices or Commissions

Regulation of
Official
Privilege of
Franking in
certain Cases.

Commissions may from Time to Time authorize and direct such One Person in their Office as they shall think proper to nominate in that Behalf, or such other Number as shall be named in any Act conferring this Privilege on such Office or Commission, to send free from Postage all or any of the Letters relating solely to the Business of their Office, and they shall from Time to Time transmit the Name of such Person to the Secretary of the General Post Office in *London* or *Dublin*, and every Person so appointed shall sign and subscribe his Name under such Words as may be directed to be printed upon the Covers enclosing such Letters; and every Person so nominated is hereby strictly forbidden to superscribe any Letter in the Manner directed by this Act, except only such Letters as he shall respectively know to relate solely to the Business of his Office, or such only concerning which he shall receive the special Direction of his superior Officer; nevertheless the Appointment of such Officer, and the Place from which Letters sent by such Officer shall be dated, and the Mode of superscribing, and the Style of Address, shall respectively be subject to such Limitations, Conditions, and Regulations as the Lords of the Treasury shall from Time to Time appoint in regard to the respective Offices or Commissions to which the Privilege of sending and receiving Letters free shall be granted.

Franking Officers required to transmit to the Post Office unprivileged Letters sent to them.

XIII. And be it enacted, That if any Letter, Paper, or Thing shall be sent under Cover to a Franking Officer, the same not being actually and *bonâ fide* on Her Majesty's Service, and relating exclusively to the Business of his Department, the Officer to whom the same shall be so sent shall transmit it forthwith to the Secretary of the Post Office in *London* or *Dublin*, with the Covers under which the same were sent, in order that the Contents thereof may be charged with the full Rates of Postage.

Rule for computing Postage on Letters beyond the Extent of Privilege.

XIV. And be it enacted, That in case the Number of Letters allowed to a privileged Person shall on any Occasion be exceeded, so that the ordinary Rates of Postage shall become payable on the surplus Number, the Letters chargeable with the higher Rate shall be included in the Number exempted, in preference to those chargeable with a lower Rate.

Postmaster empowered to examine Packets without a Cover, or in a Cover open at the Sides.

XV. And be it enacted, That the Postmaster General may examine any Packet sent without a Cover, or in a Cover open at the Sides, in order to discover whether any other Paper or Thing be enclosed with the printed Paper so permitted to be sent free of Postage without a Cover, or in a Cover open at the Sides; and in case any other Paper or Thing whatsoever shall be found enclosed with any such printed Paper, or in case there shall be any Writing other than the Superscription upon the printed Paper or upon the Cover, the whole of the Packet shall be charged with Treble the Duty of Postage.

Privileged Persons empowered in certain Cases to depute a

XVI. And be it enacted, That in case any privileged Person of the first Five Classes, being by bodily Infirmity disabled from writing the whole Superscription of such Letters, shall choose to appoint some one Person on his Behalf and in his Stead to sign his Name upon and write the

the Superscription of such Letters, and shall cause Notice thereof in Writing under his Hand and Seal to be transmitted to the Postmaster General, all Letters so signed and superscribed by the Person appointed shall be free of Postage, and shall in all respects be proceeded with as if the Superscription had been of the Handwriting of the privileged Person; and until he shall, by Order under his Hand and Seal, revoke the Notice of the Appointment of his Substitute, no Letters under the Handwriting of the Person privileged shall pass free of Postage.

Person to exercise their Privilege in their Behalf.

XVII. And be it enacted, That no Privilege of Franking shall extend to Letters transmitted by a Penny or Twopenny Post, so far as respects the Penny or Twopenny Post Rates, nor to any Letters which are or may be liable to any Foreign Rates of Postage, (the Public Despatches to and from Her Majesty's Secretaries of State, and the *British Embassies* and Legations at Foreign Courts, being *bonâ fide* on the Public Service, only excepted).

Privilege of Franking limited to General Post Letters.

XVIII. And be it enacted, That the Court of Directors of the *East India* Company, or the Secret Committee appointed by the same Court (in pursuance of an Act passed in the Third and Fourth Years of the Reign of His late Majesty King *William* the Fourth), shall, so long as the Possession and Government of Her Majesty's Territories in the *East Indies* shall belong to the Company, have the Privilege of receiving and sending free of Postage, to and from the Governor General and Council and several Presidencies in the *East Indies*, or any Agent or other Officer of the Company in the *East Indies*, any Letter relating entirely to the Affairs of the Company; and the said Court of Directors, Secret Committee, and Secretary or Assistant Secretary of the Company, may receive any such Letter free from Postage from any Officer or Agent of the Company, by Ships in the Service of the Company; provided that with respect to Letters sent to the *East Indies* they be superscribed by the Chairman or Deputy Chairman or Secretary or Assistant Secretary of the Company; and the Commissioners for the Affairs of *India*, and the Chairman and Deputy Chairman of the *East India* Company, may send and receive Letters to and from *Ceylon*, the *Mauritius*, or any Port or Place in the *East Indies*, or to and from the *Cape of Good Hope*, free from Postage, provided that no such Letter exceed Three Ounces in Weight; and the Directors of the Company may receive Letters free from Sea Postage from *Ceylon*, the *Mauritius*, or any Port or Place in the *East Indies*, by Ships in the Service of the said Company, provided that the Letters brought by any One Ship for any One Director do not collectively exceed the Weight of Six Ounces; and every Person who shall have been Director shall continue to have the Privilege for One Year after he shall have ceased to be a Director.

Franking Privilege of Letters to and from the East Indies.

XIX. And be it enacted, That all the Provisions of this Act shall be construed according to the respective Interpretations of the Terms and Expressions contained in an Act passed in the present Session, intituled *An Act for consolidating the Laws relative to Offences against the Post Office of the United Kingdom, and for regulating the judicial Adminis-*

Interpretation of Act.

1 Vict. c. 36.

Administration of the Post Office Laws, and for explaining certain Terms and Expressions employed in those Laws, so far as those Interpretations are not repugnant to the Subject or inconsistent with the Context of such Provisions.

Act may be altered this Session. XX. And be it enacted, That this Act may be repealed or altered during the present Session of Parliament. 5

SCHEDULES referred to in the foregoing Act.

SCHEDULE (A.)

a	Name of Office.	Number of Franking Officers.	Covers of Letters sent, how to be superscribed.	Letters received, to whom to be addressed to entitle them to pass free, when a particular Address is required.	Limitations of Official Franking Privilege.
Class 6.	The Treasury - The Admiralty Office : In Time of War. In Time of Peace. The Offices of Her Majesty's Principal Secretaries of State (in each of such Offices). The War Office: In Time of War. In Time of Peace. The General Post Office in London. The General Post Office in Edinburgh. The Commander in Chief's Office. The Board of Ordnance. The Adjutant General's Office. The Quarter Master General's Office. The Paymaster General's Office. Chief Secretary's Office in London of the Lord Lieutenant of Ireland.	2 17 13 2 10 6 2 2 2 2 2 2 3 1	Treasury - - } Admiralty - - Secretary of State's Office. } War Office - General Post Office - General Post Office, Edinburgh. Commander in Chief's Office. Ordnance Office - Adjutant General's Office. Quarter Master General's Office. Office of Her Majesty's Paymaster General. The Lord Lieutenant's Chief Secretary's Office, London.	No particular Direction is required for Official Letters of this Class.	Unlimited.

SCHEDULE (B.)

	Name of Office.	Number of Franking Officers.	Covers of Letters sent, how to be superscribed.	Letters received, to whom to be addressed to entitle them to pass free, when a particular Address is required.	Limitations of Official Franking Privilege.
Class 7.	ALL WITHIN IRELAND.				
	Commander of the Forces.	1	Commander of the Forces Office.	Commander of the Forces.	} Limited to Correspondence between Places in Ireland.
	Civil Paymaster	1	Civil Paymaster's Office	Civil Paymaster of Ireland.	
	Deputy Adjutant General.	1	Adjutant General's Office.	Adjutant General of the Forces.	
	Deputy Quarter Master General.	1	Quarter Master General's Office.	Quarter Master General of the Forces.	
	Chief Officer of Her Majesty's Ordnance Survey.	1	Ordnance Survey Office.	The Superintendent of the Ordnance Survey.	
	The Postmaster General.	1	General Post Office, Dublin.	- - -	
	The Lord Lieutenant's Chief Secretary.	2	Chief Secretary's Office, Civil Department, or Chief Secretary's Office, Military Department.	- - -	
			The Words "On Her Majesty's Service," to be on all the Covers.		

SCHEDULE (C.)

Class 8.	Greenwich Pension Office.	—	The Words "Pursuant to General Franking Act," to be on all the Covers.	Greenwich Out-Pensions ; and the Cashier of Greenwich Out-Pensions is to write his Name under such Words.	Cashier of Greenwich Out-Pensions.	} Unlimited.
	Greenwich Hospital.	—		Greenwich Hospital ; and the Clerk of the Cheque is to write his Name under the same.	Clerk of the Cheque	
	Chelsea Hospital.	—		Chelsea Hospital ; and the Secretary of the Hospital is to write his Name under the same.	Secretary of Chelsea Hospital, at. his Office.	
	Office of Comptroller of Corn Returns.	—		On Her Majesty's Service, Corn Department ; and the Comptroller of Corn Returns is to subscribe his Name to the same.	Comptroller of Corn Returns.	May send to any Part of the United Kingdom, but may receive from any Place whatever.

SCHEDULE (D.)

	Name of Office. a	Number of Franking Officers.	Covers of Letters sent, how to be superscribed.	Letters received, to whom to be addressed to entitle them to pass free, when a particular Address is required.	Limitations of Official Franking Privilege.
Class 9. a	Audit Office -	—	On Her Majesty's Service, Audit Office ; and the Secretary of the Commissioners, or some Chief Clerk in the Audit Office, is to subscribe his Name to the same.	Commissioners for auditing the Public Accounts.	Unlimited.
	Office for building additional Churches.	1	On the Business of the Commissioners appointed under the Act for building and promoting the building of additional Churches; dated from their Office.	Her Majesty's Commissioners, appointed under the Act for building and promoting the building of additional Churches.	
	Incorporated Society for promoting the Enlargement, building, and repairing of Churches and Chapels.	1	The Incorporated Society for promoting the Enlargement, building, and repairing of Churches and Chapels, dated from the Society's Office.	The Incorporated Society for promoting the Enlargement, building, and repairing of Churches and Chapels.	
	Exchequer Bill Office, 57 G. 3. c. 34.	1	Exchequer Bill Office -	The Commissioners for the Issue of Exchequer Bills, at their Office in London.	
			The Words "Pursuant to General Franking Act," to be on all the Covers.	Letters addressed to the Secretary to the Commissioners at their Office to be also free of Postage.	May only receive Official Letters free.
	Exchequer Bill Office, (2 & 3 W. 4. c. 125. 5 & 6 W. 4. c. 51.)	1		To the Commissioners for the Issue of Exchequer Bills, at their Office in London.	The United Kingdom and the Colonies.
	Tithes Commutation Commission.	1		Tithe Commissioners for England and Wales.	Between Places in England and Wales.
	Compensation Office.	1	Compensation Office -	Commissioners of Compensation, at their Office in London.	Within the United Kingdom.

Name of Office.	Number of Franking Officers.	Covers of Letters sent, how to be superscribed.	Letters received, to whom to be addressed to entitle them to pass free, when a particular Address is required.	Limitations of Official Franking Privilege.
Friendly Societies.	—	Barrister or Advocate appointed to certify Rules of Friendly Societies, pursuant to Act of Parliament passed in the Tenth Year of the Reign of His late Majesty King George the Fourth, and to be signed under such Words with the Name of such Barrister or Advocate in his own Handwriting.	Barrister or Advocate appointed to certify the Rules of Friendly Societies, directed to him at his Office in London, Edinburgh, or Dublin, as the Case may be.	Within the United Kingdom, Guernsey, Jersey, and Isle of Man.
Poor Law Commission.	1	Office of Poor Law Commissioners.	Poor Law Commissioners, directed to them at their Office in London.	Within the United Kingdom.
General Register Office of Merchant Seamen.	—	Merchant Seamen's General Register Office.	The Registrar of Merchant Seamen.	Unlimited.
Office of Commissioners of Charities.	1	Office of Commissioners of Charities.	Commissioners of Charities, at their Office in Westminster.	Within the United Kingdom.
Office of Registrar General of Births, Deaths, and Marriages.	1	Registrar General of Births, Deaths, and Marriages.	Registrar General of Births, Deaths, and Marriages, at his Office.	Within England.

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ANNO PRIMO

VICTORIÆ REGINÆ.

C A P. XXXVI.

An Act for consolidating the Laws relative to Offences against the Post Office of the United Kingdom, and for regulating the judicial Administration of the Post Office Laws, and for explaining certain Terms and Expressions employed in those Laws. [12th July 1837.]

WHEREAS an Act was passed in the present Session of Parliament, intituled *An Act to repeal the several Laws relating to the Post Office*; be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That on the Day on which the recited Act shall come into operation this Act shall come into operation for making Provision respecting Offences against the Post Office, and the judicial Administration of the Post Office Laws. Commence-
ment of Act.

II. And for preventing any Breach of the Privilege conferred by the Post Office Acts on the Postmaster General for the Benefit of the Public Revenue, be it enacted, That every Person who shall convey otherwise than by the Post a Letter not exempted from the exclusive Privilege of the Postmaster General shall for every Letter forfeit Five Pounds, and every Person who shall be in the Practice of so conveying Letters Contravening
the Privilege
of Post Office.

Letters not so exempted shall for every Week during which the Practice shall be continued forfeit One hundred Pounds; and every Person who shall perform otherwise than by the Post any Services incidental to conveying Letters from Place to Place, whether by receiving or by taking up or by collecting, or by ordering or by despatching, or by carrying or by re-carrying or by delivering a Letter not exempted from the exclusive Privilege of the Postmaster General, shall forfeit for every Letter Five Pounds, and every Person who shall be in the Practice of so performing any such incidental Services shall for every Week during which the Practice shall be continued, forfeit One hundred Pounds; and every Person who shall send a Letter not exempted from the exclusive Privilege of the Postmaster General otherwise than by the Post, or shall cause a Letter not so exempted to be sent or conveyed otherwise than by Post, or shall either tender or deliver a Letter not so exempt in order to be sent otherwise than by Post, shall forfeit for every Letter Five Pounds, and every Person who shall be in the Practice of committing any of the Acts last mentioned shall for every Week during which the Practice shall be continued forfeit One hundred Pounds; and every Person who shall make a Collection of exempted Letters for the Purpose of conveying or sending them otherwise than by the Post, or by the Post, shall forfeit for every Letter Five Pounds; and every Person who shall be in the Practice of making a Collection of exempted Letters for either of those Purposes shall forfeit for every Week during which the Practice shall be continued One hundred Pounds: And be it declared, that the Term Post shall herein include all Post Communications by Land or by Water (except by Outward-bound Vessels not being employed by or under the Post Office or the Admiralty to carry Post Letters); and the above Penalties shall be incurred whether the Letter shall be sent singly or with any thing else, or such incidental Service shall be performed in respect to a Letter either sent or to be sent singly or together with some other Letter or Thing; and in any Prosecution by Action or otherwise for the Recovery of any such Penalty the Onus shall lie upon the Party prosecuted to prove that the Act in respect of which the Penalty is alleged to have been incurred was done in conformity to the Post Office Laws.

Ship Letters retained after delivering of Letters to Post Office.

III. And be it enacted, That every Person, being either the Master of a Vessel Inward-bound, or one of the Officers, or one of the Crew, or a Passenger thereof, who shall knowingly have any Letter in his Possession not exempted from the Privilege of the Postmaster General, after the Master shall have sent any Part of his Ship's Letters to the Post Office, shall forfeit for every Letter Five Pounds; and whether the Letter be in the Baggage or on the Person of the Offender, or otherwise in his Custody, it shall be held to be in his Possession; and every such Person who shall detain any such Letter after Demand made, either by the Officer of the Customs or by a Person authorized by the Postmaster General to demand Ship's Letters, shall forfeit for every Letter Ten Pounds.

Penalties for abusing the Franking Privilege.

IV. And for preventing the Abuse of any Privilege by the Post Office Acts conferred of sending Letters or Papers free of Postage, or
5 at

at a reduced Rate of Postage, whereby the Post Office Revenue may be defrauded, be it enacted, That every Person who shall send or cause to be sent a Banker's Parcel, wherein or upon the Cover whereof there shall be a Writing or Communication, or any thing other than negociable Notes, contrary to the Post Office Laws or the Regulations of the Postmaster General, shall forfeit Two hundred Pounds; and every Franking Officer or other Person authorized by virtue of their Office to frank Official Letters who shall unlawfully superscribe a Letter as belonging to his Office or Department which does not concern the Business thereof shall for the first Offence forfeit One hundred Pounds, and for the Second Offence shall forfeit the like Sum, and be dismissed from his Office; and every Person having the Command of a Ship or Vessel, or Regiment or Corps or Detachment, who is authorized to write his Name, and the Name of the Ship, or of the Vessel, or of the Regiment or Corps or Detachment, commanded by him, upon a Single Letter from a Seaman or Soldier privileged to send his Letter at a reduced Rate of Postage, who shall wilfully write his Name upon a Letter that is not from and on the private Concerns only of such Seaman or Soldier so privileged, shall for every such Offence forfeit Five Pounds; and every Person not having at the Time the Command of the Ship or Vessel, or Regiment or Corps or Detachment to which a Seaman or Soldier so privileged belongs, who shall write his Name upon a Letter in order that the same may be sent at a lower Rate of Postage than by Law established, shall for every such Offence forfeit Five Pounds; and every Person who shall procure a Seaman or Soldier to obtain the Signature of his Commanding Officer to a Letter to be sent by the Post which shall not be on the private Concerns of such Seaman or Soldier, and every such Seaman or Soldier who shall obtain the Signature of his Commanding Officer upon a Letter which shall not be from such Seaman or Soldier, and upon his own private Concerns only, in order to avoid the Payment of the Rates of Postage by Law established, shall for every such Offence forfeit Five Pounds; and every Person who shall wilfully address a Letter to such Seaman or Soldier having the Privilege of receiving his Letters at a reduced Rate, which shall be intended for another Person, or which shall be concerning the Affairs of another Person, with Intent to evade the Payment of the Rate of Postage by Law established, shall for every such Offence forfeit Five Pounds; and every Person who shall, with Intent to evade any Duty of Postage, falsely superscribe a Letter as being the Owner or the Charterer or the Consignee of a Vessel conveying the same, or as the Owner or the Shipper or the Consignee of Goods shipped in such Vessel, shall for every such Offence forfeit Ten Pounds.

Penalty for
falsely super-
scribing the
Letter of an
Owner of a
Vessel, &c.

V. And for the Prevention of the Abuse of the Privilege of sending Newspapers free by the Post, or at a reduced Rate, be it enacted, That every Person who shall inclose or cause or procure to be inclosed in a Newspaper to be sent by the Post, or under the Cover thereof, any Letter or Paper or Thing, and every Person who shall print or cause to be printed any Words or Communication, either upon any such Newspaper after the same shall have been published, or upon the Cover thereof, or who shall put or cause to be put any Writing or Marks either upon the Newspaper or upon the Cover thereof, other than

Penalty on
Abuse of Pri-
vilege as to
Newspapers.

than the Name and Address of the Person to whom it shall be sent, and every Person who shall knowingly either send or cause to be sent by the Post, or who shall either deliver or tender in order to be sent by the Post, a Newspaper in respect of which any One of the Offences herein-before mentioned shall have been committed, shall for every such Offence forfeit Treble the Duty of Postage, computed by Weight and by Distance, ~~as if the Paper in respect of which the Offence was committed~~ were a Letter, such Postage to be recoverable as Postages not exceeding in Amount Twenty Pounds are recoverable; or he shall, except in those Cases in which the said Newspaper or Cover shall only have Marks thereon, and not Writing, at the Option of the Postmaster General, be prosecuted as for a Misdemeanor, and shall suffer Punishment accordingly.

Penalties on
Masters of
Ships not
taking Letter
Bags.

VI. And for compelling the Observance of the Provisions of the Post Office Laws relating to the Conveyance of Ship Letters, be it enacted, That every Master of a Vessel Outward-bound to *Ceylon*, the *Mauritius*, the *East Indies*, or the *Cape of Good Hope*, who shall refuse to take a Post Letter Bag delivered or tendered to him by an Officer of the Post Office for Conveyance, shall forfeit Two hundred Pounds; and every Master of a Vessel who shall open a sealed Letter Bag with which he shall be intrusted for Conveyance shall forfeit Two hundred Pounds; and every Master of a Vessel who shall take out of a Letter Bag with which he shall have been intrusted for Conveyance a Letter or any other Thing shall forfeit Two hundred Pounds; and every Master of a Vessel who shall not duly deliver a Letter Bag with the Contents at the Post Office on his Arrival in Port, without wilful or unavoidable Delay after his Arrival, shall forfeit Two hundred Pounds; and every Person to whom Letters may have been intrusted by the Master of a Vessel to bring on shore who shall break the Seal, or in any Manner wilfully open the same, shall forfeit Twenty Pounds; and every Master of a Vessel who shall refuse or wilfully neglect to make the Declaration of having delivered his Ship's Letters to the Post Office, as required by an Act of the present Session, intituled *An Act for the Regulation of the Duties of Postage*, shall forfeit Fifty Pounds; and every Collector, Comptroller, or Officer of the Customs who by the said Act is required to prohibit any Vessel reporting until the Requisites of such Act shall have been complied with, who shall permit such Vessel to report before the Requisites of such Act shall have been complied with, shall forfeit Fifty Pounds; and every Master of a Vessel (not having been able to send his Letters ashore previous to his Arrival at the Port where the Vessel is to report) who shall break Bulk or make Entry before all Letters on board shall be sent to the Post Office shall forfeit Twenty Pounds; and every Master of a Vessel, or any other Person on board any Ship liable to the Performance of Quarantine, who shall neglect or refuse to deliver to the Person or Persons appointed to superintend the Quarantine all Letters in his Possession, shall forfeit Twenty Pounds.

Persons en-
gaged or em-
ployed in
carrying, con-
veying, or

VII. And whereas Post Letter Bags and Post Letters are sometimes lost or delayed by the Carelessness or other Misconduct of the Persons having charge of the same; be it therefore enacted, That every Person employed to convey or deliver a Post Letter Bag or a Post

Post Letter who shall whilst so employed, or whilst the same shall be in his Custody, Care, or Possession, leave a Post Letter Bag or a Post Letter, or suffer any Person, not being the Guard or Person employed for that Purpose, to ride in the Place appointed for the Guard in or upon any Carriage used for the Conveyance of a Post Letter Bag or Post Letter, or to ride in or upon a Carriage so used and not licensed to carry Passengers, or upon a Horse used for the Conveyance on Horseback of a Post Letter Bag or a Post Letter, or if any such Person shall be guilty of any Act of Drunkenness, or of Carelessness, Negligence, or other Misconduct, whereby the Safety of a Post Letter Bag or a Post Letter shall be endangered, or who shall collect or receive, or convey or deliver, a Letter otherwise than in the ordinary Course of the Post, or who shall give any false Information of an Assault or Attempt at Robbery upon him, or who shall loiter on the Road or Passage, or wilfully mis-spend his Time so as to retard or delay the Progress or Arrival of a Post Letter Bag or a Post Letter, or who shall not use due and proper Care and Diligence safely to convey a Post Letter Bag or a Post Letter at the Rate of Speed appointed by and according to the Regulations of the Post Office for the Time being, being thereof convicted, shall forfeit Twenty Pounds.

delivering
Bags or Mats
of Letters, &c.
guilty of
Carelessness,
Negligence,
or Miscon-
duct, punish-
able on sum-
mary Convic-
tion before
a Justice of
the Peace.

VIII. And to prevent Obstructions opposite the General Post Offices in *London* and *Dublin*, be it enacted, That no Hackney Carriage shall stand or ply for Hire opposite the General Post Office in *Saint Martin's-le-Grand, London*, or the General Post Office in *Sackville Street, Dublin*, or any Part thereof respectively; and that every Driver, or any Person having the Management of any Hackney Carriage, who shall permit the same to stand or ply for Hire opposite either of the said Post Offices, shall forfeit for every such Offence Five Pounds; and for the Purposes of this Provision every Carriage with Two or more Wheels, whatever may be the Form or Construction of such Carriage, or the Number of Persons which the same shall be calculated to convey, or the Number of Horses by which the same shall be drawn, shall be a Hackney Carriage within the Meaning of this Act, and in all Proceedings at Law or otherwise, and upon all Occasions whatsoever, it shall be sufficient to describe it by the Term Hackney Carriage; and every Hawker, Newsvender, or idle or disorderly Person, who shall stop or loiter on the Flagway or Pavement opposite the General Post Office in *Saint Martin's-le-Grand, London*, or in *Sackville Street, Dublin*, or any Part thereof respectively, shall forfeit for every such Offence Five Pounds.

No Hackney
Carriage to
ply for Hire
opposite the
General Post
Office in Lon-
don or Dub-
lin.

Definition of
Hackney Car-
riage within
the Meaning
of this Act.

No Hawker,
Newsvender,
&c. to stop
or loiter
on Pavement
on Penalty
of 5*l*.

IX. And be it enacted, That every Toll Collector or Receiver, or other Person employed to receive the Tolls or Rates at a Turnpike Gate or Bar erected upon a Highway, Bridge, or Post Road, and every Person who shall have the Care of a Gate of a walled Town, or the Custody of the Keys of such Gate, who shall demand Toll for any Person or Horse or Carriage going for or conveying or employed to go for or carry a Mail, or who shall not permit the Mail to pass without Delay, or who shall wilfully delay or obstruct the Mail at or in passing a Turnpike Gate or Bar, or a Gate of a walled Town, shall for every such Offence forfeit Five Pounds; and

Penalty on
Collectors of
Tolls, Ferry-
men, or
Keepers of
Gates, &c.
demanding
Toll on Mail
Coach, or
stopping
the Mail.

every Ferryman or other Person employed to receive the Tolls or Rates at a Ferry who shall demand any such Toll for any such Person, Horse, or Carriage, or who shall not, within the Space of Fifteen Minutes after Demand made, convey the Mail (if it be possible or safe to do so) across such Ferry to the usual Landing Place, shall for every such Offence forfeit Five Pounds.

No Officer of
the Post
Office tra-
velling with
a Mail to pay
for passing
Ferries in
North
America.

X. And be it enacted, That no Deputy, Officer, or Agent of the Postmaster General travelling with a Mail shall pay for passing or repassing a Ferry within any of Her Majesty's Colonies or Dominions in *North America*, but the Ferryman at every such Ferry shall forthwith on Demand convey over every such Deputy, Officer, or Agent without any Payment for the same, on pain of forfeiting for every Offence Five Pounds, to be recovered in any Court of Record within any of the Provinces or Colonies in *North America* by Bill, Complaint, or Information, wherein no Essoign, Protection, or Wager of Law shall be allowed, one Moiety thereof to Her Majesty, towards the Support of the Government of the said Provinces and the contingent Charges thereof, and the other Moiety to the Postmaster General who shall sue and prosecute for the same, together with full Costs of Suit.

Abettors in
Offences
punishable
on summary
Conviction.

XI. And be it enacted, That every Person who shall aid, abet, or counsel or procure the Commission of an Offence which is by the Post Office Acts punishable on summary Conviction, shall, on Conviction before a Justice of the Peace in *England* and *Ireland*, and before a Justice of the Peace, Sheriff, Sheriff Substitute, Steward, or Steward Substitute in *Scotland*, be liable to the same Forfeiture and Punishment to which a principal Offender is by the Post Office Acts made liable.

In what
Courts pecu-
niary Penal-
ties may be
sued for.

XII. And be it enacted, That all pecuniary Penalties imposed by the Post Office Acts may be sued for and recovered, with full Costs of Suit, by any Person who shall inform and sue for the same, in any of Her Majesty's Courts of Record at *Westminster* for any Offence committed in *England*, *Wales*, or *Berwick-upon-Tweed*, and in Her Majesty's Court of Session in *Scotland* for any Offence committed in *Scotland*, and in any of Her Majesty's Courts of Record in *Dublin* for any Offence committed in *Ireland*; and the Proceeding may be either by Action of Debt, or by Bill or Complaint or Information, wherein no Essoign, Protection, or Privilege, nor more than One Imparlanee, shall be allowed; and where the Offence shall be committed in the *British Isles*, or in any other Parts of Her Majesty's Dominions, such Penalties may be recovered in any of the Royal or Superior Courts of such Isles, or other Parts of Her Majesty's Dominions, by all the Proceedings, Ways, and Means by which Penalties are there recoverable.

Mode of
proceeding
before
Justices
for Offences
within their
Jurisdiction.

XIII. And be it enacted, That any Justice of the Peace having Jurisdiction where the Offence shall be committed may hear and determine any Offence against the Post Office Acts which may subject the Offender to a pecuniary Penalty not exceeding Twenty Pounds; and any such Justice shall, upon Information given or Complaint made

made before him, summon the Party accused, and also the Witnesses on either Side, to be and appear before him, or before any other Justice of the Peace, at a Time and Place to be appointed for that Purpose; and either on the Appearance of the Party accused, or in default thereof, the Justice present at the Time and Place appointed for such Appearance may proceed to examine into the Matter of Fact, and upon due Proof made thereof by voluntary Confession of the Party, or by Oath of One Witness or more, may give Judgment for the Plaintiff or Complainant, or for the Defendant, and if for the Plaintiff or Complainant such Justice may award and issue out his Warrant for the levying of the Penalty so adjudged, together with the Costs and Expences of such Proceeding, and also the Costs and Expences of such Warrant, and of levying the same on the Goods of the Offender, and may cause Sale to be made of such Goods in case they shall not be redeemed within Five Days, rendering to the Party the Overplus (if any); and where Goods of such Offender cannot be found sufficient to answer the Penalty, and all such Costs and Expences, the Justice shall commit the Offender to the Common Gaol or House of Correction, there to remain for any Time not less than Three Calendar Months and not exceeding Six Calendar Months, if the full Penalty imposed by the Post Office Acts for the Offence of which such Offender shall have been convicted shall amount to the Sum of Twenty Pounds, and for any Time not exceeding Three Calendar Months if such Penalty shall not amount to Twenty Pounds, unless such Penalty and all such Costs and Expences shall be sooner paid; and if the Person convicted shall find himself aggrieved by the Judgment of any such Justice he may appeal against the same to the Justices of the Peace at the General or Quarter Sessions of the Peace for the County or Place within which the Offence shall be committed which shall be held next after the Expiration of Ten Days from the Day on which such Conviction shall have been made, of which Appeal Notice in Writing shall be given to the Prosecutor or Informer Seven clear Days previous to the First Day of such Sessions, and such Justices at such Sessions may examine Witnesses upon Oath, and finally hear and determine such Appeal; and in case the Judgment of the Justice shall be affirmed the Justices at such Sessions may award and order the Person appealing to pay such Costs occasioned by such Appeal as to them shall seem meet: Provided always, that no Person convicted before a Justice shall be permitted to appeal against such Conviction unless within Five Days next after such Conviction made he shall enter into a Recognizance, with Two sufficient Sureties, before such Justice, to enter and prosecute such Appeal, and to pay the Amount of the Penalty and Costs in which he shall have been convicted, and also to pay such further Costs as shall be awarded in case such Conviction shall be affirmed on the hearing of such Appeal: Provided also, that no such Proceedings so to be had or taken shall be quashed or vacated for Want of Form, or for any Error or Mistake which in the Judgment of the Court has not a Tendency to mislead the Defendant, or shall be removed by Certiorari, Suspension, Advocation, or Reduction, or by any other Writ or Process, into any Superior or other Court or Jurisdiction, any Law or Usage to the contrary notwithstanding.

Appeal.

Justices may
mitigate
Penalties.

XIV. And be it enacted, That the Justice of the Peace before whom a Person shall be convicted of an Offence against the Post Office Acts may mitigate the Penalty imposed in Cases where such Justice shall see Cause so to do ; provided that all reasonable Costs and Charges incurred in prosecuting for such Offence shall be always allowed over and above the Sum to which the Penalty shall be mitigated.

Application
of Penalties.

XV. And be it enacted, That all pecuniary Penalties incurred under the Post Office Acts, which shall be sued or prosecuted for or recovered by or in the Name of a Person other than Her Majesty's Attorney General in *England*, Her Majesty's Attorney General in *Ireland*, or Her Majesty's Advocate for *Scotland*, or the Solicitor to the Post Office, or any other Officer of the Post Office in *England*, *Ireland*, or *Scotland* respectively, shall respectively be distributed and divided in manner following ; (that is to say,) one Moiety thereof to Her Majesty, and the other Moiety thereof, with full Costs of Suit, to the Person who shall inform and sue or prosecute for the same ; and all such pecuniary Penalties as aforesaid which shall be sued and prosecuted for and recovered by or in the Name of the above-named Officers shall be applied to the Use of Her Majesty : Provided always, that the Postmaster General, at his Discretion, may give all or any Part of such Penalties or Shares of Penalties belonging to Her Majesty as Rewards to any Person who shall have detected such Offences, or given Information which may have led to the Discovery thereof or to the Conviction of the Offenders.

Justices shall
receive the
Crown's
Share of
Penalties,
and pay the
same to the
Clerk of the
Peace, to be
remitted to
the Post
Office.

XVI. And be it enacted, That every Justice of the Peace before whom a Person shall be convicted of an Offence against the Post Office Acts shall take the Penalty or Share of the Penalty belonging to Her Majesty levied or paid under such Conviction, and shall pay or cause to be paid all such Sums of Money which he shall so take at the next General or Quarter Session of the Peace after he shall have so taken the same into the Hands of the Clerk of the Peace, Town Clerk, or other such Officer of the County or Place within which such Conviction shall have been made, who shall within Fourteen Days after his Receipt thereof, and without Fee or Reward, pay or remit the same, for the Use of Her Majesty, to the Solicitor of the Post Office at the Post Office in *London*, *Edinburgh*, or *Dublin*, as the Conviction shall happen to be in *England*, *Scotland*, or *Ireland* respectively ; and every such Justice shall, within One Week after every such Payment made by him to a Clerk of the Peace, Town Clerk, or other such Officer, transmit to such Solicitor a Schedule containing the Name of the Person so convicted, the Nature of the Offence, and the Amount of the Penalty in which he shall have been convicted, the Date of such Conviction, and the Sum of Money which shall have been paid by virtue thereof, together with the Name of the Clerk of the Peace, Town Clerk, or other such Officer to whom he shall have paid the same ; and every Justice who shall omit to pay or cause to be paid to such Clerk of the Peace or other Officer as aforesaid, at the Time and in the Manner herein-before directed, any such Penalty or Share of Penalty received by him, or upon Payment thereof shall omit to transmit to the proper Solicitor of the Post Office such Schedule,

Penalty on
the Justice or
Clerk of the
Peace for
omitting so
to do.

Schedule, and every Clerk of the Peace, Town Clerk, or other Officer who shall omit to pay or remit the Penalty or Share of Penalty to such Solicitor of the Post Office, within the Time and in the Manner herein-before directed in that Behalf, shall forfeit Fifty Pounds.

XVII. And be it enacted, That when any Person shall be summoned before a Justice of the Peace to answer an Information or Complaint exhibited or made against him by a Person other than an Officer of the Post Office, touching an Offence committed or alleged to have been committed by such Person against the Post Office Acts, and such Information or Complaint shall afterwards be withdrawn, or quashed or dismissed, or if the Defendant shall be acquitted of the Offence charged against him, the Justice may order and award that the Informer or Person exhibiting the Information or making the Complaint shall pay to the Defendant such Costs of making or preparing for his Defence, and also such Compensation for his Loss of Time, and for the Time of his Witnesses (if any), in attending such Justice touching such Information or Complaint, as to such Justice shall seem reasonable; and in default of immediate Payment of the Sum so awarded the Justice may cause the same to be levied by Distress and Sale of the Goods and Chattels of the Person ordered to pay the same, together with the Costs of such Distress and Sale; and if Goods and Chattels of such Person sufficient to answer the Sum so awarded, and such Costs as aforesaid, cannot be found, the Justice may commit such Person to the Common Gaol or House of Correction for any Time not exceeding One Calendar Month, unless the Sum so awarded, together with all Costs and Expences, shall be sooner paid.

Justices empowered to award Costs to Defendants, where Informations or Complaints are withdrawn or dismissed in certain Cases.

XVIII. And be it enacted, That a Summons issued by a Justice of the Peace, requiring a Defendant or a Witness or other Person to appear before him or any other Justice, with reference to an Information, Complaint, or other Proceeding for the Recovery of any Postage, Postage Debt, or Penalty under the Post Office Acts, shall be deemed to be sufficiently served in case either the Summons or a Copy thereof be served personally upon the Person as aforesaid, or be left at his usual or last known Place of Residence, or, if such Person be a Proprietor, Driver, Conductor, or Guard of any Stage Carriage, if such Summons or Copy be left with the Book-keeper or Person for the Time being acting as Book-keeper for such Stage Carriage in any Town or Place from, into, or through which such Carriage shall go or be driven nearest to the Place where any such Offence shall be committed.

What shall be deemed a Service of a Justice's Summons.

XIX. And be it enacted, That every Constable or other Peace Officer who shall refuse or neglect to serve a Summons or execute a Warrant or Order granted, issued, or made by a Justice of the Peace, pursuant to the Post Office Acts, shall forfeit Ten Pounds.

Penalty for neglecting to serve a Summons, &c.

XX. And be it enacted, That every Person who shall be summoned as a Witness to give Evidence before a Justice of the Peace, or before Justices at Sessions, touching the Matters alleged in or relating to an Information, Complaint, Appeal, or other Proceeding depending before

Penalty on Witnesses neglecting to attend.

before such Justice or Justices for the Recovery of a Postage, Postage Debt, or Penalty under the Post Office Acts, who shall neglect or refuse to appear before such Justice or Justices at the Time and Place to be for that Purpose appointed, without a reasonable Excuse for such Neglect or Refusal, to be allowed by such Justice or Justices, and every Person so summoned who shall appear, but shall refuse to be examined and give Evidence before such Justice or Justices touching the Matters aforesaid, shall forfeit Ten Pounds.

Officers of
the Post
Office not
disqualified
from being
Witnesses.

XXI. And be it enacted, That upon the Trial or Hearing of an Information exhibited or Complaint made under the Post Office Acts any Officer of the Post Office shall be a competent Witness, notwithstanding that such Officer may be the Informant or Complainant, or may be entitled to or expect a Part of any pecuniary Penalty, or any Remuneration or Reward on the Conviction of an Offender upon such Information or Complaint.

In what
Manner
Goods dis-
trained under
this Act shall
be sold.

XXII. And be it enacted, That in all Cases where Goods or Chattels distrained or otherwise seized or taken under the Post Office Acts are directed to be sold the same shall be sold by public Auction; and Notice of the Time and Place of such Sale shall be given to the Owner of such Goods or Chattels, or left at his last known Place of Abode, Three Days at least prior to such Sale: Provided always, that if the Owner of any such Goods or Chattels shall give his Consent in Writing to the Sale thereof at an earlier Period than is by this Act or shall be by any such Notice appointed for such Sale, or in any other Manner than is by this Act directed, it shall be lawful to sell such Goods or Chattels according to such Consent: Provided also, that if the Owner of such Goods or Chattels shall at any Time before the Sale thereof pay or tender to the Person who by any Warrant or other Process shall be directed or authorized to cause such Goods or Chattels to be sold the Sum which he shall by such Warrant or Process be directed to levy or raise by the Sale of such Goods or Chattels, together with all reasonable Costs and Expences incurred, no Sale of such Goods or Chattels shall be made.

Postmaster
General may
compound
Actions, &c.

XXIII. And be it enacted, That the Postmaster General may compromise and compound any Action, Suit, Bill, Plaint, or Information which shall at any Time hereafter be commenced by his Authority or under his Control against any Person for recovering Penalties incurred under the Post Office Acts, on such Terms and Conditions as the Postmaster General shall in his absolute Discretion think proper, with full Power for him, or any of his Officers or Agents by him thereunto authorized, to accept the Penalties so incurred or alleged to be incurred, or any Part thereof, without Action, Suit, or Information brought or commenced for Recovery thereof.

Penalties to
be sued for
within a
Year.

XXIV. And be it enacted, That all Penalties incurred by any Person for Offences against the Post Office Acts shall be sued for within the Space of One Year next after the Penalty shall be incurred.

Opening or
delaying Post

XXV. And be it enacted, That every Person employed by or under the Post Office who shall contrary to his Duty open or procure or

or suffer to be opened a Post Letter, or shall wilfully detain or delay, or procure or suffer to be detained or delayed, a Post Letter, shall in *England* and *Ireland* be guilty of a Misdemeanor, and in *Scotland* of a Crime and Offence, and being convicted thereof shall suffer such Punishment by Fine or Imprisonment, or by both, as to the Court shall seem meet: Provided always, that nothing herein contained shall extend to the opening or detaining or delaying of a Post Letter returned for Want of a true Direction, or of a Post Letter returned by reason that the Person to whom the same shall be directed is dead or cannot be found, or shall have refused the same, or shall have refused or neglected to pay the Postage thereof; nor to the opening or detaining or delaying of a Post Letter in obedience to an express Warrant in Writing under the Hand (in *Great Britain*) of One of the Principal Secretaries of State, and in *Ireland* under the Hand and Seal of the Lord Lieutenant of *Ireland*.

Letters, a
Misdemeanor.

Proviso.

XXVI. And be it enacted, That every Person employed under the Post Office who shall steal, or shall for any Purpose whatever embezzle, secrete, or destroy, a Post Letter, shall in *England* and *Ireland* be guilty of Felony, and in *Scotland* of a high Crime and Offence, and shall, at the Discretion of the Court, either be transported beyond the Seas for the Term of Seven Years, or be imprisoned for any Term not exceeding Three Years; and if any such Post Letter so stolen or embezzled, secreted or destroyed, shall contain therein any Chattel or Money whatsoever, or any valuable Security, every such Offender shall be transported beyond the Seas for Life.

Embezzlement, &c.
of any Letter
or Packet,
Felony.

XXVII. And be it enacted, That every Person who shall steal from or out of a Post Letter any Chattel or Money or valuable Security shall in *England* and *Ireland* be guilty of Felony, and in *Scotland* of a high Crime and Offence, and shall be transported beyond the Seas for Life.

Stealing
Money, &c.
from or out
of Letters,
Felony.

XXVIII. And be it enacted, That every Person who shall steal a Post Letter Bag, or a Post Letter from a Post Letter Bag, or shall steal a Post Letter from a Post Office, or from an Officer of the Post Office or from a Mail, or shall stop a Mail with intent to rob or search the same, shall in *England* and *Ireland* be guilty of Felony, and in *Scotland* of a high Crime and Offence, and shall be transported beyond the Seas for Life.

Persons
stealing Post
Letter Bags
or Post Letters
sent by
Mail to be
transported
for Life;

XXIX. And be it enacted, That every Person who shall steal or unlawfully take away a Post Letter Bag sent by a Post Office Packet, or who shall steal or unlawfully take a Letter out of any such Bag, or shall unlawfully open any such Bag, shall in *England* and *Ireland* be guilty of Felony, and in *Scotland* of a high Crime and Offence, and shall be transported beyond the Seas for any Term not exceeding Fourteen Years.

stealing Post
Letter Bags
or Post Letters
sent by
Packet to be
transported
for 14 Years.

XXX. And with regard to Receivers of Property sent by the Post and stolen therefrom, be it enacted, That every Person who shall receive any Post Letter or Post Letter Bag, or any Chattel or Money or valuable Security, the stealing or taking or embezzling or secreting whereof shall amount to a Felony under the Post Office Acts, knowing

Receivers of
Property sent
by the Post
and stolen or
embezzled,
guilty of
Felony.

ing the same to have been feloniously stolen, taken, embezzled, or secreted, and to have been sent or to have been intended to be sent by the Post, shall in *England* and *Ireland* be guilty of Felony, and in *Scotland* of a high Crime and Offence, and may be indicted and convicted either as an Accessory after the Fact or for a substantive Felony, and in the latter Case, whether the principal Felon shall or shall not have been previously convicted, or shall or shall not be amenable to Justice; and every such Receiver, howsoever convicted, shall be liable to be transported beyond the Seas for Life.

Punishment.

Fraudulently retaining, after Delivery thereof by Mistake, any Letter or Packet, and wilfully secreting or detaining any Letters, &c. that have been lost, a Misdemeanor.

Punishment.

XXXI. And whereas Post Letters are sometimes by Mistake delivered to the wrong Person, and Post Letters and Post Letter Bags are lost in the course of Conveyance or Delivery thereof, and are detained by the Finders in expectation of Gain or Reward; be it therefore enacted, That every Person who shall fraudulently retain, or shall wilfully secrete or keep or detain, or being required to deliver up by an Officer of the Post Office, shall neglect or refuse to deliver up a Post Letter which ought to have been delivered to any other Person, or a Post Letter Bag or Post Letter which shall have been sent, whether the same shall have been found by the Person secreting, keeping, or detaining, or neglecting or refusing to deliver up the same, or by any other Person, shall in *England* and *Ireland* be guilty of a Misdemeanor, and in *Scotland* of a Crime and Offence, and being convicted thereof shall be liable to be punished by Fine and Imprisonment.

Stealing, &c. any printed Votes or Proceedings in Parliament, Newspapers or other printed Paper, Misdemeanor.

XXXII. And for the Protection of printed Votes and Proceedings in Parliament and printed Newspapers sent by the Post, be it enacted, That every Person employed in the Post Office who shall steal, or shall for any Purpose embezzle, secrete, or destroy, or shall wilfully detain or delay in course of Conveyance or Delivery thereof by the Post, any printed Votes or Proceedings in Parliament, or any printed Newspaper, or any other printed Paper whatever sent by the Post without Covers, or in Covers open at the Sides, shall in *England* and *Ireland* be guilty of a Misdemeanor, and in *Scotland* of a Crime and Offence, and being convicted thereof shall suffer such Punishment by Fine or Imprisonment, or by both, as to the Court shall seem meet.

Forging the Handwriting of the Receiver General in *England* or *Ireland*, Felony.

Punishment.

XXXIII. And be it enacted, That every Person who shall knowingly and wilfully forge or counterfeit, or cause or procure to be forged or counterfeited, the Name or Handwriting of the Receiver General for the Time being of the General Post Office in *England* or *Ireland*, or of any Person employed by or under him, to any Draft, Instrument, or Writing whatsoever, for or in order to the receiving or obtaining of any Money in the Hands or Custody of the Governor and Company of the Bank of *England* or *Ireland* on account of the Receiver General of the Post Office, or shall forge or alter, or shall offer, utter, dispose of, or put off, knowing the same to be forged or altered, any Draft, Warrant, or Order of such Receiver General, or of any Person employed by or under him, for Money or for Payment of Money, with Intent to defraud any Person whomsoever, shall be guilty of Felony, and being convicted thereof shall be transported beyond the Seas for Life.

XXXIV. And

XXXIV. And in order to prevent the Imitation and Forgery of lawful Franks, be it further enacted, That every Person who shall forge or counterfeit the Handwriting of another Person in the Superscription of a Post Letter, or who shall alter or change upon a Post Letter the Superscription thereof, or who shall write or send by the Post or cause to be written or sent by the Post a Letter the Superscription whereof in whole or in part shall be forged or counterfeited or altered, knowing the same to be forged, counterfeited, or altered, with Intent in either of those Cases to avoid the Payment of the Duty of Postage, shall in *England* and *Ireland* be guilty of Felony, and in *Scotland* of a high Crime and Offence, and being convicted thereof shall be transported beyond the Seas for the Term of Seven Years.

Forging or
altering
Franks.

Punishment.

XXXV. And be it enacted, That in the Case of every Felony punishable under the Post Office Acts, every Principal in the Second Degree, and every Accessory before the Fact, shall be punishable in the same Manner as the Principal in the First Degree is by the Post Office Acts punishable; and every Accessory after the Fact to any Felony punishable under the Post Office Acts (except only a Receiver of any Property or Thing stolen, taken, embezzled, or secreted,) shall, on Conviction, be liable to be imprisoned for any Term not exceeding Two Years; and every Person who shall aid, abet, counsel, or procure the Commission of any Misdemeanor punishable under the Post Office Acts shall be liable to be indicted and punished as a principal Offender.

Principal in
the Second
Degree, and
Accessories,
how to be
punished.

XXXVI. And be it enacted, That every Person who shall solicit or endeavour to procure any other Person to commit a Felony or Misdemeanor punishable by the Post Office Acts shall in *England* and *Ireland* be guilty of a Misdemeanor, and in *Scotland* of a Crime and Offence, and being thereof convicted shall be liable, at the Discretion of the Court, to be imprisoned for any Term not exceeding Two Years.

Endeavour-
ing to pro-
cure the
Commission
of any Felony
or Misdemeanor.

XXXVII. And for the more effectual Prosecution of Offences committed against the Post Office Acts, be it enacted, That the Offence of every Offender against the Post Office Acts may be dealt with, and indicted and tried, and punished, and laid and charged to have been committed in *England* and *Ireland*, either in the County or Place where the Offence shall be committed, or in any County or Place in which he shall be apprehended or be in Custody, as if his Offence had been actually committed in that County or Place, and if committed in *Scotland* either in the High Court of Justiciary at *Edinburgh* or in the Circuit Court of Justiciary to be holden by the Lords Commissioners of Justiciary within the District where such Offence shall be committed, or in any County or Place within which such Offender shall be apprehended or be in Custody, as if his Offence had been actually committed there; and where an Offence shall be committed in or upon or in respect of a Mail, or upon a Person engaged in the Conveyance or Delivery of a Post Letter Bag or Post Letter, or in respect of a Post Letter Bag or Post Letter, or a Chattel or Money or valuable Security sent by the Post, such Offence may

Venue.

Accessories
in, Felony;
and Persons
aiding and
counselling
in, Misdemeanor.

be dealt with and inquired of, and tried and punished, and laid and charged to have been committed, as well in any County or Place in which the Offender shall be apprehended or be in Custody, as also in any County or Place through any Part whereof the Mail, or the Person, or the Post Letter Bag or the Post Letter, or the Chattel, or the Money, or the valuable Security sent by the Post in respect of which the Offence shall have been committed, shall have passed in due Course of Conveyance or Delivery by the Post, in the same Manner as if it had been actually committed in such County or Place; and in all Cases where the Side or the Centre or other Part of a Highway, or the Side, the Bank, the Centre, or other Part of a River, or Canal or Navigation, shall constitute the Boundary of Two Counties, such Offence may be dealt with and inquired of, and tried and punished, and laid and charged to have been committed in either of the said Counties through which or adjoining to which or by the Boundary of any Part of which the Mail or Person shall have passed in due Course of Conveyance or Delivery by the Post, in the same Manner as if it had actually been committed in such County or Place; and every Accessory before or after the Fact to any such Offence, if the same be a Felony or a high Crime, and every Person aiding or abetting or counselling or procuring the Commission of any such Offence, if the same be a Misdemeanor, may be dealt with, indicted, tried, and punished as if he were a Principal, and his Offence laid and charged to have been committed in any County or Place in which the principal Offender may be tried.

Bail.

XXXVIII. And be it enacted, That where an Offence shall have been committed in *Scotland* no Person committed in *Scotland* on a Charge of a high Crime or Offence under this Act shall be entitled to insist on Bail; nevertheless in the following Cases the Party may be admitted to Bail; (that is to say,) First, if the public Prosecutor shall consent thereto, in which Case the Bail shall be such as he shall agree to; Second, if the Judges of the Court of Justiciary, or the Sheriff or Sheriff's Substitute, or Stewart or Stewart's Substitute of the County or Stewartry within which the Person shall be committed, shall deem it consistent with the Ends of Justice, and in this Case the Bail shall be of such Amount as such Judge, under the Circumstances of the Case, may think necessary for ensuring the Appearance for Trial of the Person accused.

Admiralty
Jurisdiction.

XXXIX. And be it enacted, That where an Offence punishable under the Post Office Acts shall be committed within the Jurisdiction of the Admiralty the same shall be dealt with and inquired of and tried and determined in the same Manner as any other Offence committed within that Jurisdiction.

Property
sent by the
Post to be
laid in the
Postmaster
General.

XL. And be it enacted, That in every Case where an Offence shall be committed in respect of a Post Letter Bag or a Post Letter, or a Chattel, Money, or a valuable Security, sent by the Post, it shall be lawful to lay in the Indictment or Criminal Letters to be preferred against the Offender the Property of the Post Letter Bag or of the Post Letter, or Chattel or Money or the valuable Security sent by the Post, in the Postmaster General; and it shall not be necessary in the Indictment or Criminal Letters to allege or to prove upon the Trial

Trial or otherwise that the Post Letter Bag or any such Post Letter or valuable Security was of any Value; and in any Indictment or in any Criminal Letters to be preferred against any Person employed under the Post Office for any Offence committed against the Post Office Acts it shall be lawful to state and allege that such Offender was employed under the Post Office of the United Kingdom at the Time of the committing of such Offence, without stating further the Nature or Particulars of his Employment.

- XLI. And be it enacted, That every Person convicted of any Offence for which the Punishment of Transportation for Life is herein awarded shall be liable to be transported beyond the Seas for Life or for any Term not less than Seven Years, or to be imprisoned for any Term not exceeding Four Years; and every Person convicted of any Offence punishable according to the Post Office Acts by Transportation for Fourteen Years shall be liable to be transported for any Term not exceeding Fourteen Years nor less than Seven Years, or to be imprisoned for any Term not exceeding Three Years.

Punish-
ments.

XLII. And be it enacted, That where a Person shall be convicted of an Offence punishable under the Post Office Acts for which Imprisonment may be awarded the Court may sentence the Offender to be imprisoned, with or without hard Labour; in the Common Gaol or House of Correction, and may also direct that he shall be kept in solitary Confinement for the Whole or any Portion of such Imprisonment, as to the Court shall seem meet.

Power to
award hard
Labour or
solitary
Confinement
under this
Act.

XLIII. And be it enacted, That so often as any Sum or Sums of Money not exceeding Twenty Pounds shall be due for Postage from any Person within the United Kingdom or other Her Majesty's Dominions, or which shall be due for Postage from any Deputy, Agent, or Letter Carrier, or any other Person employed in receiving or collecting the Postage of Letters or any of the Post Office Revenue, or from the Sureties of any such last-mentioned Person, a Complaint may be made to One or more of Her Majesty's Justices acting for the Place (whether County, Riding, Division, City, Town, or other Place), and thereupon he shall summon the Party complained of and the Witnesses on either Side, and shall examine into the Matter of Fact; and on due Proof being made of the Money due from the Person complained of, either by his voluntary Confession, or by the Oath of One Witness or more, the Justice shall grant a Warrant to a Peace Officer (whether Constable, Tithing Man, or other Peace Officer,) of the same Place to distrain the Party complained of by his Goods and Chattels to the Amount of the Debt and of all the Expences, (whether Costs, Charges, or otherwise, of obtaining such Warrant, and of the Proceedings relating thereto, and to the making of the Distress and Sale thereof); and the Constable having taken the Distress may keep it for Five Days at the Charge of the Party complained of, and if the Amount of the Debt and all the Expences shall not be paid within that Time, then the Goods and Chattels distrained shall be sold by the Peace Officer, and the Surplus (if any) of the Money arising by the Sale thereof, after deducting the Amount of the Debt and all the Expences, shall

Power of
Distress for
Recovery of
Sums not
exceeding
20l. in the
United
Kingdom or
elsewhere in
Her Majesty's
Dominions.

be

be rendered by the Peace Officer to the Person distrained upon ; and for the Purpose of taking such Distress the Peace Officer, when either a Refusal or a Resistance shall be made, may break open in the Daytime any Place (whether House, Building, or otherwise,) where any Goods or Chattels of such Person shall be ; and if no sufficient Distress can be had whereon to levy the Debt and Expences, or in case an insufficient Distress only can be found, or if an insufficient Distress has been sold, then a Justice of the Peace may commit such Person to the Prison of the Place, there to remain until the Debt and all Expences, or so much thereof as shall remain after deducting therefrom the Proceeds of the Sale, shall be satisfied ; and, in addition to the above Proceedings, if the Postage due from any Officer of the Post Office, Surety, or any other Person in *Ireland* shall not exceed Fifty Pounds, the same may be recovered with full Costs in a summary Way by Process or Civil Bill in the Court of the District where the Person sued shall reside which has Jurisdiction to try Matters on Civil Bill ; but no Decree shall be made thereon unless Process or Civil Bill shall have been served on the Person sued Eight clear Days at least before the First Day of the Quarter Sessions at which it is to be tried ; and if the Person sued shall appeal from the Decree made thereon against him, and on the hearing of the Appeal the Decree shall be affirmed, he shall pay to Her Majesty Double the Costs of the original Decree, and the Affirmance thereof shall be conclusive on all the Parties therein.

In what Way
Duties of
Postage may
be sued for.

XLIV. And be it enacted, That all Duties of Postage granted by any of the Post Office Acts, and charged by virtue thereof, may be sued for and recovered by Suit, Action, or Information in any of Her Majesty's Courts of Record, and by all such Ways and Means and in such Manner and Form as any other Duties granted to Her Majesty by any Act or Acts relating to Her Majesty's Revenue are recoverable by Law, as well as by the particular Ways and Means provided by this Act ; and in all Actions, Bills, Plaints, Informations, and Proceedings to be commenced, prosecuted, entered, or filed in the Name or on behalf of Her Majesty for the Recovery of any such Duties Her Majesty may have and recover such Duties with full Costs of Suit.

Forms of
Conviction,
&c.

XLV. And be it enacted, That every Complaint, Information, Summons, Conviction, Warrant of Distress, or Commitment or other such Proceeding which shall be had or taken for the Recovery of any Postage Debt or Penalty under the Provisions of the Post Office Acts, may be drawn or made out according to the several Forms contained in the Schedule hereunto annexed, or to the Effect thereof, with such Changes therein as the Case shall require ; and every such Complaint, Information, Summons, Conviction, Warrant, or other such Proceeding which shall be so drawn or made out shall be good and effectual to all Intents and Purposes whatsoever, without stating the Case or the Facts or Evidence in any more particular Manner than is required in and by such Forms respectively.

Mode of
Proceeding
in Actions.

XLVI. And for the Protection of Persons acting in the Execution of the Post Office Acts, be it enacted, That all legal Proceedings, whether by Action or by Prosecution, which shall be commenced against

against any Person for any thing done in pursuance of or under the Post Office Acts, shall be commenced and prosecuted within Three Calendar Months next after the Commission of the Act, and not afterwards; and such Proceedings shall be laid and tried in the County or Place where the Cause of Action shall arise, and not elsewhere; and Notice in Writing of such Action, and of the Cause thereof, shall be given to the Defendant One Calendar Month at least before the Commencement of the Action; and in the following Cases the Defendant shall recover his full Costs of Suit as between Attorney and Client, that is to say, if a Verdict shall pass for the Defendant, or if the Plaintiff shall become Nonsuit, or if the Plaintiff shall discontinue the Action, or if on Demurrer or otherwise Judgment shall be given against the Plaintiff; and the Defendant shall have the like Remedy for his Costs as any Defendant may have for Costs of Suits in other Cases at Law; and although a Verdict shall be given for the Plaintiff in any such Action, the Plaintiff shall not have Costs against the Defendant, unless the Judge before whom the Trial shall be had shall at the Time of such Trial certify in Writing his Approbation of the Action, and of the Verdict obtained thereupon.

XLVII. And for the Interpretation of the Post Office Laws, be it enacted, That the following Terms and Expressions shall have the several Interpretations herein-after respectively set forth, unless such Interpretations are repugnant to the Subject or inconsistent with the Context of the Provisions in which they may be found; (that is to say), the Term "*British Letter*" shall mean a Letter transmitted within the United Kingdom; and the Term "*British Newspapers*" shall mean Newspapers printed and published in the United Kingdom liable to the Stamp Duty and duly stamped; and the Term "*British Postage*" shall mean the Duty chargeable on Letters transmitted by Post from Place to Place within the United Kingdom, or if transmitted to or from the United Kingdom, chargeable for the Distance which they shall be transmitted within the United Kingdom, and including also the Packet Postage, if any; and the Term "*Colonial Letter*" shall mean a Letter transmitted between any of Her Majesty's Colonies and the United Kingdom; and the Term "*Colonial Newspapers*" shall mean Newspapers printed and published in any of Her Majesty's Dominions out of the United Kingdom; and the Term "*Convention Posts*" shall mean Posts established by the Postmaster General under Agreements with the Inhabitants of any Places; and the Term "*Double Letter*" shall mean a Letter having One Inclosure; and the Term "*Double Postage*" shall mean Twice the Amount of Single Postage; and the Term "*East Indies*" shall mean every Port and Place within the Territorial Acquisitions now vested in the *East India Company* in Trust for Her Majesty, and every other Port or Place within the Limits of the Charter of the said Company (*China* excepted), and shall also include the *Cape of Good Hope*; and the Term "*Express*" shall mean every Kind of Conveyance employed to carry Letters on behalf of the Post Office other than the usual Mail; and the Term "*Foreign Country*" shall mean any Country, State, or Kingdom not included in the Dominions of Her Majesty; and the Term "*Foreign Letter*" shall mean a Letter transmitted to or from a Foreign Country; and the Term "*Foreign Newspapers*"

Interpreta-
tion Clause.British
Letter.British News-
papers.British
Postage.Colonial
Letter.Colonial
Newspapers.Convention
Posts.Double
Letter.Double
Postage.

East Indies

Express.

Foreign
Country.Foreign
Letter.

Foreign Newspapers.	Newspapers" shall mean Newspapers printed and published in a Foreign Country in the Language of that Country; and the Term "Foreign Postage" shall mean the Duty charged for the Conveyance of Letters within such Foreign Country; and the Term "Franking Officer" shall mean the Person appointed to frank the Official Correspondence of Offices to which the Privilege of Franking is granted; and the Term "Her Majesty" shall mean "Her Majesty, Her Heirs and Successors"; and the Term "Her Majesty's Colonies" shall include every Port and Place within the Territorial Acquisitions now vested in the <i>East India Company</i> in Trust for Her Majesty, the <i>Cape of Good Hope</i> , the Islands of <i>Saint Helena</i> , <i>Guernsey</i> , <i>Jersey</i> , and <i>Isle of Man</i> , (unless any such Places be expressly excepted,) as well as Her Majesty's other Colonies and Possessions beyond Seas; and the Term "Inland Postage" shall mean the Duty charged for the Transmission of Post Letters within the Limits of the United Kingdom or within the Limits of any Colony; and the Term "Letter" shall include Packet, and the Term "Packet" shall include Letter; and the Expression "Lord Lieutenant of <i>Ireland</i> " shall mean the Chief Governor or Governors of <i>Ireland</i> for the Time being; and the Expression "Lords of the Treasury" shall mean the Lord High Treasurer of the United Kingdom of <i>Great Britain</i> and <i>Ireland</i> , or the Lords Commissioners of Her Majesty's Treasury of the United Kingdom of <i>Great Britain</i> and <i>Ireland</i> , or any Three or more of them; and the Term "Mail" shall include every Conveyance by which Post Letters are carried, whether it be a Coach or Cart or Horse, or any other Conveyance, and also a Person employed in conveying or delivering Post Letters, and also every Vessel which is included in the Term Packet Boat; and the Term "Mail Bag" shall mean a Mail of Letters, or a Box, or a Parcel, or any other Envelope in which Post Letters are conveyed, whether it does or does not contain Post Letters; and the Term "Master of a Vessel" shall include any Person in charge of a Vessel, whether Commander, Mate, or other Person, and whether the Vessel be a Ship of War or other Vessel; and the Expression "Officer of the Post Office" shall include the Postmaster General and every Deputy Postmaster, Agent, Officer, Clerk, Letter Carrier, Guard, Post Boy, Rider, or any other Person employed in any Business of the Post Office, whether employed by the Postmaster General, or by any Person under him or on behalf of the Post Office; and the Term "Packet Postage" shall mean the Postage chargeable for the Transmission of Letters by Packet Boats between <i>Great Britain</i> and <i>Ireland</i> , or between the United Kingdom and any of Her Majesty's Colonies, or between the United Kingdom and Foreign Countries; and the Term "Packet Letter" shall mean a Letter transmitted by a Packet Boat; and the Term "Penalty" shall include every pecuniary Penalty or Forfeiture; and the Expression "Persons employed by the Post Office" shall include every Person employed in any Business of the Post Office according to the Interpretation given to Officer of the Post Office; and the Terms "Packet Boats" and "Post Office Packets" shall include Vessels employed by or under the Post Office or the Admiralty for the Transmission of Post Letters, and also Ships or Vessels (though not regularly employed as Packet Boats) for the Conveyance of Post Letters under Contract,
Her Majesty's Colonies.	
Inland Postage.	
Letter.	
Packet.	
Lord Lieutenant of Ireland.	
Lords of the Treasury.	
Mail.	
Mail Bag.	
Master of a Vessel.	
Officer of the Post Office.	
Packet Postage.	
Packet Letter.	
Penalty.	
Persons employed by the Post Office.	
Packet Boats.	
Post Office Packets.	

and also a Ship of War or other Vessel in the Service of Her Majesty, in respect of Letters conveyed by it; and the Term "Postage" shall mean the Duty chargeable for the Transmission of Post Letters; and the Term "Post Town" shall mean a Town where a Post Office is established (not being a Penny or Twopenny or Convention Post Office); and the Term "Post Letter Bag" shall include a Mail Bag or Box, or Packet or Parcel, or other Envelope or Covering in which Post Letters are conveyed, whether it does or does not contain Post Letters; and the Term "Post Letter" shall mean any Letter or Packet transmitted by the Post under the Authority of the Postmaster General, and a Letter shall be deemed a Post Letter from the Time of its being delivered to a Post Office to the Time of its being delivered to the Person to whom it is addressed; and the Delivery to a Letter Carrier or other Person authorized to receive Letters for the Post shall be a Delivery to the Post Office; and a Delivery at the House or Office of the Person to whom the Letter is addressed, or to him, or to his Servant or Agent or other Person considered to be authorized to receive the Letter according to the usual Manner of delivering that Person's Letters, shall be a Delivery to the Person addressed; and the Term "Post Office" shall mean any House, Building, Room, or Place where Post Letters are received or delivered, or in which they are sorted, made up, or despatched; and the Term "Postmaster General" shall mean any Person or Body of Persons executing the Office of Postmaster General for the Time being, having been duly appointed to the Office by Her Majesty; and the Terms "Post Office Acts" and "Post Office Laws" shall mean all Acts relating to the Management of the Post, or to the Establishment of the Post Office, or to Postage Duties, from Time to Time in force; and the Term "Ships" shall include Vessels other than Packet Boats; and the Term "Single Postage" shall mean the Postage chargeable for a Single Letter; and the Term "Single Letter" shall mean a Letter consisting of One Sheet or Piece of Paper, and under the Weight of an Ounce; and the Term "Sea Postage" shall mean the Duty chargeable for the Conveyance of Letters by Sea by Vessels not Packet Boats; and the Term "Ship Letter" shall mean a Letter transmitted inwards or outwards over Seas by a Vessel not being a Packet Boat; and the Term "Treble Letter" shall mean a Letter consisting of more than Two Sheets or Pieces of Paper, whatever the Number, under the Weight of an Ounce; and the Term "Treble Postage" shall mean Three Times the Amount of Single Postage; and the Term "Treble the Duty of Postage" shall mean Three Times the Amount of the Postage to which the Letter to be charged would otherwise have been liable according to the Rates of Postage chargeable on Letters; and the Term "United Kingdom" shall mean the United Kingdom of *Great Britain* and *Ireland*; and the Term "Valuable Security" shall include the Whole or any Part of any Tally, Order, or other Security whatsoever, entitling or evidencing the Title of any Person or Body Corporate to any Share or Interest in any Public Stock or Fund, whether of this Kingdom or of *Great Britain* or of *Ireland*, or of any Foreign State, or in any Fund of any Body Corporate, Company, or Society, or to any Deposit in any Savings Bank, or the Whole or any Part of any Debenture, Deed, Bond, Bill, Note, Warrant, or Order or other Security whatsoever for Money or for Payment of Money.

Postage.

Post Town.

Post Letter Bag.

Post Letter.

Post Office.

Postmaster General.

Post Office Acts.

Post Office Laws.

Ships.

Single

Postage.

Single Letter.

Sea Postage.

Ship Letter.

Treble Letter.

Treble Postage.

Treble the Duty of Postage.

United Kingdom.

Valuable Security.

Vessel.

Between.

Money, whether of this Kingdom or of any Foreign State, or of any Warrant or Order for the Delivery of Transfer of any Goods or valuable Thing; and the Term "Vessel" shall include any Ship or other Vessel not a Post Office Packet; and whenever the Term "between" is used in reference to the Transmission of Letters, Newspapers, Parliamentary Proceedings, or other Things between one Place and another it shall apply equally to the Transmission from either Place to the other; and every Officer mentioned shall mean the Person for the Time being executing the Functions of that Officer; and whenever in this Act or the Schedules thereto, with reference to any Person or Matter or Thing, or to any Persons, Matters, or Things, the Singular or Plural Number or the Masculine Gender only is expressed, such Expression shall be understood to include several Persons or Matters or Things as well as one Person or Matter or Thing, and one Person, Matter, or Thing as well as several Persons or Matters or Things, Females as well as Males, Bodies Politic or Corporate as well as Individuals, unless it be otherwise specially provided, or the Subject or Context be repugnant to such Construction.

Where Provisions of Act shall extend to.

XLVIII. And be it enacted, That this Act shall extend to and be in force in the Islands of *Mun, Jersey, Guernsey, Sark, and Alderney*, and in all Her Majesty's Colonies and Dominions where any Post or Post Communication is established by or under the Postmaster General of the United Kingdom of *Great Britain and Ireland*.

Act may be altered.

XLIX. And be it enacted, That this Act may be altered or repealed during the present Session of Parliament.

SCHEDULE to which the foregoing Act refers.

No. 1.

Form of an Information for the Recovery of a Penalty under this Act.

County [*or as the* } BE it remembered, That on the Day
Case may be] of } of in the Year of our Lord.
 to wit. } at in the
 of A. B. of, &c. [*or A. B., an Officer of the Post*
Office, as the Case may be,] cometh before me, C. D. Esquire, One
 of Her Majesty's Justices of the Peace for the said
 and informeth me the said Justice that E. F. of
 heretofore, to wit, on the Day of in the
 Year of our Lord at in the
 said did [*here state the Offence*], contrary to the Form
 of the Statute in such Case made and provided, whereby the said E. F.
 hath forfeited for his said Offence the Sum of

Taken and received by me, the Day
 and Year first above written.

No. 2.

Form of a Summons on the foregoing Information.

To E. F. of, &c.

County [*or as the* } WHEREAS an Information hath been exhibited before
~~Case may be~~] of } me, C. D. Esquire, One of Her Majesty's Justices of
 to wit. } the Peace for the of
 charging that you the above-named E. F., on the
 Day of at did [*here state the Substance*
of the Charge], whereby you have forfeited the Sum of
 These are therefore to require you personally to be and appear before
 me the said Justice, or before such other of Her Majesty's Justices of
 the Peace for the said as shall be then present,
 at on the Day of at the Hour
 of in the noon of the same Day, then and there to
 answer the same Information and to make your Defence thereto ;
 and if you fail to appear accordingly such Proceedings will be taken
 as if you had personally appeared and had not made any Defence to
 the said Charge.

Given under my Hand and Seal this Day of

1° VICTORIÆ, Cap. 36.

No. 3.

Form of a Conviction on the foregoing Information.

County [or as the
Case may be] of } BE it remembered, That on the Day
to wit. } of at E. F. of, &c.

- One of Her Majesty's Justices of the Peace for
in pursuance of an Act passed in the First Year of the Reign of Her
Majesty Queen Victoria, intituled "An Act," &c. [Title of this
Act] for that the said E. F. on the Day of
did [here state the Offence as the Case may happen
to be], contrary to the Form of the Statute in that Case made and pro-
vided; for which Offence I do adjudge that the said E. F. hath forfeited the Sum of
and [if the Justice mitigate
the Penalty] which Sum of I do hereby mitigate
to the Sum of over and above the Sum of
for the Costs and Charges of G.H., the Informer, in prosecuting this
Conviction. Given under my Hand and Seal the Day
of

No. 4.

Form of a Warrant of Distress founded on the foregoing Conviction.

To the Constable of in the of
County [or as the
Case may be] of } WHEREAS E. F. of has been duly
to wit. } convicted of a certain Offence, for [here state the Offence
as in Conviction] whereby he hath forfeited the Sum
of [and in case of Mitigation, which hath been
mitigated to the Sum of] over and above the
reasonable Costs and Charges of the Informer, allowed and assessed
at the Sum of : Therefore I command you to levy the
said Sum of and also the said Sum of for the
Costs and Charges aforesaid; making together the Sum of
by distraining the Goods and Chattels of the said E. F.; and if within
the Space of Five Days next after such Distress taken the said Sum
of together with the reasonable Costs and Charges
of taking and keeping such Distress, shall not be paid, then I order
and direct that you shall sell and dispose of the said Goods and
Chattels which shall be so distrained, seized, and taken as aforesaid,
and shall levy and raise thereout the said Sum of
and all reasonable Costs and Charges of taking and keeping and
selling such Distress, rendering the Overplus, if any, to the Owner
of the said Goods and Chattels; and you are to certify to me what you
shall have done by virtue of this my Warrant. Given under my
Hand and Seal the Day of

(Signed)

One of Her Majesty's Justices of the Peace for the
said of

No. 5.

No. 5.

Form of a Warrant of Commitment for Want of a sufficient Distress founded on the foregoing Conviction.

To the Constable of _____ and to the Keeper of the
Common Gaol [*or House of Correction*] at
in the said

County [*or as the* } WHEREAS *E.F.* of _____ has been duly
Case may be] of } convicted of a certain Offence, for that [*here state the*
to wit. } Offence as in the Conviction], whereby he hath forfeited

the Sum of _____ [*and in case of Mitigation,*
which hath been mitigated to the Sum of _____] over
and above the reasonable Costs and Charges of the Informer, allowed
and assessed at the Sum of _____ making together the Sum
of _____ : And whereas it has been duly made to appear
to me, that no sufficient Distress can be found whereon to levy
the said Sum of _____ : Therefore I command you the Constable
of _____ to apprehend and take the said *E.F.* and safely to carry him
to the Common Gaol [*or House of Correction*] at _____ in
the _____ of _____ and there to deliver him to the
Keeper thereof, together with this Warrant; and I do hereby com-
mand you the said Keeper to receive into your Custody in the said
Gaol [*or House of Correction*] him the said *E.F.*, and him therein
safely to keep for the Space of _____ unless the said
Sum of _____ shall be sooner paid. Given under my
Hand and Seal the _____ Day of _____

(Signed)

One of Her Majesty's Justices of the Peace for the
said _____ of _____

No. 6.

Form of a Complaint whereon to found a Warrant of Distress for Recovery of Postage.

County [*or as the* } BE it remembered, That on this _____ Day of
Case may be] of } _____ in the Year of our Lord _____
to wit. } at _____ in the _____ of _____ *A.B.*,
an Officer of the Post Office, complaineth to me, *C.D.* Esquire, One
of Her Majesty's Justices of the Peace for the said _____ that
the Sum of _____ is due and owing from *E.F.* of _____
to Her Majesty [*or to the said A.B., if the Case be so,*] for the
Duty of Postage, which he hath refused or neglected to pay; and
thereupon the said *A.B.* prayeth of me the said Justice that the
said *E.F.* may be summoned to appear and show Cause, if any he
have, why, due Proof being made of the Sum due and owing from
him for Postage as aforesaid, a Warrant of Distress should not be
granted for Recovery thereof, pursuant to the Direction of the
Statute in that Behalf made.

Taken and received by me the Day
and Year first above written.

No. 7.

*Form of Summons on the foregoing Complaint.*To *E. F.* of

County *[or as the Case may be]* of } WHEREAS Complaint has been made unto me, *C. D.*
 to wit. } Esquire, One of Her Majesty's Justices of the Peace
 for the of that the Sum
 of is due and owing from you to Her Majesty *[or to A. B., an Officer of the Post Office, if the Case be so,]* for the
 Duty of Postage, which you have refused or neglected to pay: These
 are therefore to summon you to be and appear at in
 the said on the Day of at
 the Hour of in the noon of the same Day,
 before me the said Justice, or before such other of Her Majesty's
 Justices of the Peace for the said as shall be
 then present, in order that you may show Cause, if any you have,
 why, on due Proof being made of the Sum of Money due and owing
 from you for such Duty of Postage as aforesaid, a Warrant of Distress
 should not be granted for the Recovery thereof, pursuant to the
 Directions of the Statute in that Behalf made; and if you fail to
 appear accordingly, such Proceedings will be taken as if you had
 appeared, and had not shown any sufficient Cause why such Warrant
 should not be granted. Given under my Hand and Seal this
 Day of

No. 8.

*Form of a Warrant of Distress founded on the foregoing Complaint.*To the Constable of *[or to C. D. of as the Case may be.]*

County *[or as the Case may be]* of } WHEREAS Complaint hath been made that *E. F.* of
 to wit. } is indebted to Her Majesty *[or to A. B., an Officer of the Post Office, if the Case be so,]* in the
 Sum of for the Duty of Postage, which he hath
 refused or neglected to pay: And whereas the said *E. F.* hath been
 duly summoned, and due Proof hath been made on Oath before me
 that the Sum of is due and owing from the
 said *E. F.* for such Duty of Postage as aforesaid, and that he hath
 neglected to pay the same: Therefore I command you to distrain the
 said *E. F.* by his Goods and Chattels, and to levy thereon the said
 last-mentioned Sum, being the Amount of such Duty of Postage as
 aforesaid; and also the further Sum of for the
 Costs, Charges, and Expences of proceeding for and obtaining this
 Warrant, and of the Proceedings incident and relating thereto, making
 together the Sum of and if within the Space
 of Five Days next after the taking of such Distress the Sum of
 together with the reasonable Costs and
 Charges of taking and keeping such Distress, shall not be paid, then
 I do hereby order and direct that you shall sell and dispose of the said
 Goods and Chattels which shall be so distrained, and that you shall
 levy

levy and raise thereout the said Sum of and all
reasonable Costs and Charges of taking, keeping, and selling such
Distress, rendering the Overplus (if any) to the Owner of the said
Goods and Chattels; and you are to certify to me what you have done
by virtue of this my Warrant. Given under my Hand and Seal this
Day of

(Signed)

One of Her Majesty's Justices of the Peace for
the said of

No. 9.

*Form of a Warrant of Commitment for Want of sufficient Distress,
founded on the foregoing Complaint.*

To the Constable of in the of
and also to the Keeper of the Common Gaol [or House of
Correction] at in the said
County [or as the } WHEREAS Complaint was made that *E. F.* of
Case may be] of } was indebted to Her Majesty [or
to wit. } to *A. B.*, an Officer of the Post Office, *if the Case be*
so], in the Sum of for the Duty of Postage,
which he had refused or neglected to pay: And whereas the said
E. F. was duly summoned, and due Proof was made on Oath that the
Sum of was due and owing from the said
E. F. for such Duty of Postage as aforesaid, and that he had neg-
lected to pay the same: And whereas a Warrant has been issued
directed to *C. D.* of commanding him, by Distress and
Sale of the Goods and Chattels of the said *E. F.*, to levy the said
last-mentioned Sum, being the Amount of such Duty of Postage as
aforesaid, due and owing from the said *E. F.*, and also the further
Sum of for the Costs, Charges, and Expences of
proceeding for and obtaining the said Warrant, and of the Pro-
ceedings incident and relating thereto, making together the Sum
of ; and it now appearing to me by the Oath
of the said *C. D.* that no sufficient Distress can be found whereon to
levy the said Duty, Costs, and Charges [or in case an insufficient
Distress shall have been taken, And whereas the said *C. D.* hath
certified to me that he hath under the said Warrant levied and raised
the Sum of only; and it now appearing to me
by the Oath of the said *C. D.* that no sufficient Distress can be found
whereon to levy the Residue of the said Duty, Costs, and Charges]:
Therefore I command you the said Constable of to
apprehend and take the said *E. F.*, and safely to convey him to the
Common Gaol [or House of Correction] of the said
at in the said and there to
deliver him to the Keeper thereof, together with this Warrant; and
I do hereby command you the said Keeper to receive into your
Custody in the said Gaol [or House of Correction] him the said
E. F., and him therein safely to keep until the said Sum of
or until the Sum of the Residue
of

1° VICTORIÆ, Cap.36.

of the said Duty, Costs, and Charges remaining after deducting the
said Sum of so levied and raised as aforesaid, shall
be fully paid and satisfied. Given under my Hand and Seal this
Day of .

(Signed)

One of Her Majesty's Justices of the Peace for
the said

LONDON : Printed by GEORGE EYRE and ANDREW SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1837. •



ANNO PRIMO

VICTORIÆ REGINÆ.

C A P. XXXVII.

An Act to continue until the First Day of *July* in the Year One thousand eight hundred and thirty-eight, and from thence to the End of the then next Session of Parliament, an Act for the more effectual Administration of the Office of a Justice of the Peace in and near the Metropolis.

[12th *July* 1837.]

WHEREAS an Act was passed in the Third Year of the Reign of His late Majesty King *William* the Fourth, intituled *An Act for the more effectual Administration of Justice in the Office of a Justice of the Peace in the several Police Offices established in the Metropolis, and for the more effectual Prevention of Depredations on the River Thames and its Vicinity*, which said Act will expire at the End of the present Session of Parliament: And whereas it is expedient to continue the same; be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said Act shall continue and be in force until the

^{3 & 4 W. 4.}
^{c. 19.}

First Day of *July* in the Year One thousand eight hundred and thirty-eight, and from thence until the End of the then next Session of Parliament, unless Parliament shall otherwise provide.

•

LONDON : Printed by GEORGE EYRE and ANDREW SPOTTISWOODE,
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ANNO PRIMO

VICTORIÆ REGINÆ.

C A P. XXXVIII.

An Act for raising the Sum of Thirteen millions six hundred and twenty-three thousand three hundred Pounds by Exchequer Bills, for the Service of the Year One thousand eight hundred and thirty-seven. [12th July 1837.]

Most Gracious Sovereign,

WE, Your Majesty's most dutiful and loyal Subjects, the Commons of the United Kingdom of *Great Britain* and *Ireland* in Parliament assembled, towards raising the necessary Supplies which we have cheerfully granted to Your Majesty in this Session of Parliament, have resolved to give and grant unto Your Majesty the Sum herein-after mentioned; and do therefore most humbly beseech Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall be lawful for the Commissioners of Her Majesty's Treasury of the United Kingdom of *Great Britain* and *Ireland* at any Time or Times to cause or direct any Number of Exchequer Bills to be made out at the Receipt of the Exchequer at *Westminster* for any Sum or Sums of Money not exceeding in the whole the Sum of Thirteen millions six hundred and twenty-three

The Treasury
may raise
13,623,300*l.*
by Exchequer
Bills, in like
Manner as is
prescribed by
48 G. 3. c. 1.



ANNO PRIMO

VICTORIÆ REGINÆ.

C A P. XXXIX.

An Act to interpret the Words “ Sheriff,” “ Sheriff Clerk,” “ Shire,” “ Sherifffdom,” and “ County,” occurring in Acts of Parliament relating to *Scotland*.
[12th July 1837.]

WHEREAS it is expedient that the Words “ Sheriff,” “ Sheriff Clerk,” “ Shire,” “ Sherifffdom,” and “ County,” used in Acts of Parliament relating to *Scotland*, should be interpreted in manner herein-after mentioned : Be it enacted by the Queen’s most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That in all Cases in which the Words “ Sheriff,” “ Sheriff Clerk,” “ Shire,” “ Sherifffdom,” and “ County,” occur in any existing Act of Parliament, or shall occur in any future Act, relating to *Scotland*, the Word “ Sheriff” shall be deemed and taken to comprehend and apply to any Steward, the Words “ Sheriff Clerk” to comprehend “ Steward Clerk,” and the Words “ Shire,” “ Sherifffdom,” and “ County” to comprehend and apply to any Stewartry in *Scotland*, excepting where

Interpreta-
tion of the
Words “She-
riff,” “Sheriff
Clerk,” &c.
in Acts re-
lating to
Scotland

otherwise

otherwise specially provided, and excepting Cases in which there is any thing in the Subject or Context repugnant to such Meaning and Application.

• LONDON: Printed by GEORGE EYRE and ANDREW SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. • 1837.



ANNO PRIMO

VICTORIÆ REGINÆ.

C A P. XL.

An Act to continue an Act of the Fifty-fourth Year of His Majesty King *George* the Third, for rendering the Payment of Creditors more equal and expeditious in *Scotland*, until the First Day of *May* One thousand eight hundred and thirty-eight, and from thence to the End of the then next Session of Parliament.

[12th *July* 1837.]

WHEREAS an Act was passed in the Fifty-fourth Year of the Reign of His Majesty King *George* the Third, intituled *An Act for rendering the Payment of Creditors* 54G.3. c.137. *more equal and expeditious in Scotland*, which Act was to continue for Seven Years from the Twenty-fifth Day of *July* One thousand eight hundred and fourteen, and from thence to the End of the then next Session of Parliament: And whereas the said Act has been continued by several Acts passed in the Third, Fourth, Sixth, Seventh and Eighth, and Tenth Years of the Reign of His Majesty King *George* the Fourth, and in the First, Second, and Fourth and Fifth, and Sixth and Seventh Years of the Reign of His late Majesty King *William* the Fourth, but is now about to expire; and it is necessary that the same should be further continued: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal,

4 Y

and

Recited
Act further
continued.

and Commons, in this present Parliament assembled, and by the Authority of the same, That the said recited Act of the Fifty-fourth Year of the Reign of His said Majesty King *George* the Third shall be and the same is hereby further continued till the First Day of *May* One thousand eight hundred and thirty-eight, and from thence to the End of the then next Session of Parliament.

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• Printers to the Queen's most Excellent Majesty. 1837.



ANNO PRIMO

VICTORIÆ REGINÆ.

C A P. XLI.

An Act for the more effectual Recovery of Small Debts in the Sheriff Courts, and for regulating the Establishment of Circuit Courts for the Trial of Small Debt Causes by the Sheriffs, in *Scotland*.
[12th *July* 1837.]

WHEREAS an Act was made in the Tenth Year of the Reign of His Majesty King *George* the Fourth, intituled *An Act for the more effectual Recovery of Small Debts, and for diminishing the Expences of Litigation in Causes of small Amount, in the Sheriff Courts in Scotland*, the Provisions of which have been found beneficial, but Experience has pointed out certain Alterations by which its Benefits will be extended and rendered more effectual; and it is expedient that such Alterations and the former Provisions should be consolidated in One Act: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said recited Act shall be and the same is hereby repealed from and after the First Day of *October* next, save and except as to such Causes as shall have been commenced under the Authority of the said recited Act before the said First Day of *October* next, and shall be then depending, all which Causes shall be carried to a Conclusion according to the Rules prescribed by the

10 G. 4. c. 55.
Recited Act repealed, except as to Causes commenced.
said

said Act, notwithstanding this Act; and this Act shall commence and take effect from and after the said First Day of *October* next.

Sheriffs may hear and determine in a summary Way Causes for Sums under 8*l.* 6*s.* 8*d.* Sterling.

II. And be it enacted, That it shall be lawful for any Sheriff in *Scotland* within his County to hear, try, and determine in a summary Way, as more particularly herein-after mentioned, all Civil Causes and all Prosecutions for statutory Penalties, as well as all Maritime Civil Causes and Proceedings, that may be competently brought before him, wherein the Debt, Demand, or Penalty in question shall not exceed the Value of Eight Pounds Six Shillings and Eight-pence Sterling, exclusive of Expences and Fees of Extract: Provided always, that the Pursuer or Prosecutor shall in all Cases be held to have passed from and abandoned any remaining Portion of any Debt, Demand, or Penalty beyond the Sum actually concluded for in any such Cause or Prosecution.

Providing Forms of Proceedings.

III. And be it enacted, That all such Causes and Prosecutions which the Pursuers or Prosecutors thereof shall choose to have heard and determined according to the summary Mode hereby provided shall proceed, except as herein-after provided, upon Summons or Complaint, agreeably to the Form in Schedule (A.) annexed to this Act, and containing Warrant to arrest upon the depending Action, stating shortly the Origin of Debt or Ground of Action, and concluding against the Defender; which Summons or Complaint, being signed by the Sheriff Clerk, shall be a sufficient Warrant and Authority to any Sheriff's Officer for summoning the Defender to appear and answer at the Time and Place mentioned in such Summons and Complaint, not being sooner than upon the Sixth Day after such Citation, and the same, or the Copy thereof, served on the Defender, shall also be a sufficient Warrant for summoning such Witnesses and Havers as either Party shall require; and a Copy of the said Summons or Complaint, with the Citation annexed, and also a Copy of the Account, if any, shall be served at the same Time by the Sheriff's Officer on the Defender personally or at his Dwelling Place, or in case of a Company at their ordinary Place of Business; and the Officer summoning Parties, Witnesses or Havers, shall, in all Cases under this Act return an Execution of Citation, signed by him, or shall appear and give Evidence on Oath of such Citation having been duly made; and all such Citations given by an Officer alone without Witnesses, and Executions thereof subscribed by such Officer, shall be good and effectual to all Intents and Purposes.

Causes of higher Value than 8*l.* 6*s.* 8*d.* reduced to 8*l.* 6*s.* 8*d.* may be remitted to the Small Debt Roll.

IV. And be it enacted, That in any Cause before the Sheriff's Ordinary Court, in which the Debt, Demand, or Penalty in question shall not exceed the Value of Eight Pounds Six Shillings and Eight-pence Sterling, or shall have exceeded the Value of Eight Pounds Six Shillings and Eight-pence Sterling, but from Interim Decree or otherwise the Value shall, previous to the closing of the Record, be reduced so as not to exceed Eight Pounds Six Shillings and Eight-pence Sterling, exclusive of Expences and Fees of Extract, it shall be competent to the Sheriff, if he shall think proper, and with the Consent of the Pursuer, to remit such Cause to such of his Small Debt Court Rolls as may be proper, either of his own Motion or upon the Motion

Motion of any Party in the Cause: Provided that if the Pursuer shall not consent the Provisions of this Act as to the Fees or Expences to be allowed in Causes below the Value of Eight Pounds Six Shillings and Eight-pence brought not according to the summary Form herein provided shall be applied to such Causes subsequent to the Proposition for Remit, if the Sheriff shall think proper so to modify the Expences: Provided also, that when a Case has been remitted by the Sheriff Substitute from the Ordinary Court to the Small Debt Court an Appeal shall be competent to the Sheriff against such Remit, but no Reclaiming Petition shall be allowed against such Remit.

V. And be it enacted, That it shall be competent for the Sheriff in the Small Debt Courts established or to be established under this Act to hear, try, and determine, in the summary Form hereby provided, Applications by Landlords or others having Right to the Rents and Hypothec for Sequestration and Sale of a Tenant's Effects for Recovery of Rent, provided the Rent or Balance of Rent claimed shall not exceed Eight Pounds Six Shillings and Eight-pence Sterling; and the Summons and Warrant of Sequestration and Procedure shall be agreeable to the Forms directed in Schedule (B.) annexed to this Act; and the Officer, when he executes the Warrant, shall get the Effects appraised by Two Persons, who may also be Witnesses to the Sequestration; and an Inventory or List of the Effects, with the Appraisement, shall be given to or left for the Tenant, who shall be cited in Manner and to the Effect aforesaid; and an Execution of the Citation and Sequestration, with the Appraisement of the Effects, shall be returned to the Clerk within Three Days; and on hearing the Application in manner provided by this Act relative to other Causes the Sheriff shall dispose of the Cause as shall be just, and may either recall the Sequestration in whole or in part, or pronounce Decree for the Rent found due, and grant Warrant for the Sale of the sequestrated Effects on the Premises or at such other Place and on such Notice as he shall by general or special Regulation direct, and failing such Directions the Sale shall be carried into effect in the Manner herein-after directed for the Sale of poinded and sequestrated Effects; and if after Sequestration the Tenant shall pay the Rent claimed, with the Expences, to the Pursuers, or consign the Rent, with Two Pounds Sterling to cover Expences, in the Hands of the Clerk of Court, the Sequestration shall *ipso facto* be recalled, in case of Payment, on the Clerk writing and signing on the Back of the Summons or Warrant the Words "Payment made," which, on Evidence being produced to him of Payment of the Rents claimed, with Expences, he is hereby required to do, and in case of Consignation, after the Clerk shall in like Manner have written and signed the Words "Consignation made," on the same being intimated by an Officer of Court to the sequestrating Creditor.

Recovery of
Rents not
exceeding
8l. 6s. 8d.

VI. And be it enacted, That the Pursuer of any Civil Cause, including Maritime Civil Causes and Proceedings, may use Arrestment on the Dependence of the Action of any Money, Goods, or Effects to an Amount or Extent not exceeding the Value of Eight Pounds Six Shillings and Eight-pence Sterling, owing or belonging to such Defendant,

Arrestment
of Goods of
Defender.

Defender, in the Hands of any Third Party, either within the County in which such Warrant shall have been issued or in any other County or Counties: Provided always, that before using such Warrant in any other County it shall be presented to and indorsed by the Sheriff Clerk of such other County, who is hereby required to make such Indorsement on Payment of the Fee herein-after mentioned: Provided also, that any Arrestment laid on under the Authority of this Act shall, on the Expiry of Three Months from the Date thereof, cease and determine, without the Necessity of a Decree or Warrant of loosing the same, unless such Arrestment shall be renewed by a special Warrant or Order, duly intimated to the Arrestee, in which Case it shall subsist and be in force for the like Time and under the like Conditions as under the original Warrant, or unless an Action of Forthcoming or Multiplepounding, in manner herein-after provided, shall have been raised before the Expiry of the said Period of Three Months, in which Case the Arrestment shall subsist and be in force until the Termination of such Action of Forthcoming or Multiplepounding.

Wages not
liable to Ar-
restment.

VII. And be it enacted and declared, That Wages of Labourers and Manufacturers shall, so far as necessary for their Subsistence, be deemed alimentary, and, in like Manner as Servants Fees and other alimentary Funds, not liable to Arrestment.

For providing
how Arrest-
ments may
be loosed.

VIII. And be it enacted, That when any Arrestment shall have been used on the Dependence of any Action, it shall be competent to the Defender to have such Arrestment loosed, on lodging with the Sheriff Clerk of the County in which such Arrestment shall have been used a Bond or Enactment of Caution, by One or more good and sufficient Cautioners to the Satisfaction of such Sheriff Clerk, agreeably to the Form in Schedule (C.) annexed to this Act, or on consigning in the Hands of such Sheriff Clerk the Amount of the Debt or Demand, with Five Shillings for Expences in Cases of Actions for Sums below Five Pounds, and Ten Shillings in Cases of higher Amount, or on producing to such Sheriff Clerk Evidence of the Defender having obtained Decree of Absolvitor in the Action, or of his having paid the Sums decerned for, or of his having consigned in the Hands of the Clerk of the Court in which the Action depended the Sums decerned for or the Amount of the Debt or Demand, and Expences as aforesaid, when no Decree has yet been pronounced; and a Certificate in the Form in the said Schedule given by the Sheriff Clerk of the County in which such Arrestment shall have been used of a Bond or Enactment of Caution to the Extent of the Debt or Demand and Expences having been lodged with him, or of Consignation, as above provided, having been made in his Hands, shall operate as a Warrant for loosing any Arrestment used either in that or in any other County on the Dependence of the same Action, without any other Caution being found or any other Consignation being made by the Defender.

Rendering
Arrestments
effectual.

IX. And be it enacted, That any Person entitled to pursue an Action of Forthcoming where the Sum or Demand sought to be recovered under the Forthcoming shall not exceed the Value of Eight Pounds

Pounds Six Shillings and Eight-pence Sterling, exclusive of Expenses and Fees of Extract, who shall choose to have the same heard and determined according to the summary Mode provided by this Act, shall proceed by Summons or Complaint agreeably to the Form in Schedule (D.) annexed to this Act, concluding for Payment of the Sum for which Arrestment has been used, or for Delivery of the Goods and Effects arrested, which Summons or Complaint, being signed by the Sheriff Clerk of the County in which the Arrestee resides, shall be a sufficient Warrant and Authority to any Sheriff's Officer for summoning the Arrestee and the common Debtor to appear and answer at a Sheriff Court of the County in which the Arrestee resides, the same not being sooner than the Sixth Day after the Date of Citation, and also for summoning Witnesses and Havers for all Parties; and in the event of the common Debtor not residing and not being found within the County in which such Action of Forthcoming shall be brought, he may be cited by any Sheriff's Officer in any other County on the said Warrant, the same being first presented to and indorsed by the Sheriff Clerk of such other County, who is hereby required to indorse the same on Payment of the Fee hereinafter mentioned, to appear at a Sheriff Court in the County in which the Arrestee resides, the same not being sooner in such Case than on the Twelfth Day after the Date of Citation: Provided always, that the Arrestee and the common Debtor shall be cited to appear on the same Court Day, and that a Copy of the said Summons or Complaint, with the Citation annexed thereto, shall be duly served by the Officer, all in the same Manner as herein-before provided in other Causes and Prosecutions under Authority of this Act, but always allowing to a Party cited to appear in the Sheriff Court of a different County from that in which the Citation shall be given Double the Time required by this Act to be allowed to a Party cited to appear in the Sheriff Court of the County within which the Citation shall be given: Provided also, that the Pursuer of such Action of Forthcoming shall not by such Action be held to have restricted the Amount of the Debt due by the common Debtor.

X. And be it enacted, That where any Person shall hold a Fund or Subject which shall not exceed the Value of Eight Pounds Six Shillings and Eight-pence, which shall be claimed by more than One Party, under Arrestments or otherwise, it shall be competent to raise a Summons of Multiplepinding in the Small Debt Court established or to be established under this Act, to the Jurisdiction of which the Holder of the Fund or Subject shall be amenable, which Summons and Procedure thereon shall be agreeable to the Form in Schedule (E.) annexed to this Act; and the Claimants and common Debtors, and also the Holder of the Fund or Subject, if the Process be raised in his Name by any other Party interested, shall be cited in manner directed to be followed in Actions of Forthcoming raised under this Act; and it shall be competent to the Sheriff, when he shall see Cause, to order such further Intimation or Publication of the Multiplepinding as he may think proper, by Advertisement in any Newspaper or otherwise; but no Judgment preferring any Party to the Fund or Subject *in medio* shall be pronounced at the first calling of the Cause, or until due Intimation has been given, such as may appear satisfactory.

Actions of
Multiple-
pinding.

to the Sheriff, in order that all Parties may have an Opportunity of lodging their Claims on the Fund or Subject *in medio*, and such Claims shall be prepared agreeably to the Form in Schedule (E.); and the Sheriff shall hear, try, and determine the Cause as nearly as may be in the summary Form provided by this Act.

Counter
Claims. •

XI. And be it enacted, That where any Defender intends to plead any counter Account or Claim against the Debt, Demand, or Penalty pursued for, the Defender shall serve a Copy of such counter Account or Claim by an Officer on the Pursuer, in the Form set forth in Schedule (A.) hereunto annexed, or to the like Effect, at least One free Day before the Day of Appearance, otherwise the same shall not be heard or allowed to be pleaded, except with the Pursuer's Consent, but Action shall be reserved for the same.

Compelling
Attendance
of Witnesses

XII. And be it enacted, That every Officer to whom any Warrant as aforesaid for citing Witnesses and Havers shall be intrusted shall cite such Witnesses or Havers as any Party shall require; and all such Warrants shall have the same Force and Effect in any other County as in the County where they are originally issued, the same being first presented to and indorsed by the Sheriff Clerk of such other County, who is hereby required to indorse the same on Payment of the Fee herein-after mentioned; and if any Witness or Haver, duly cited on a Citation of at least Forty-eight Hours, shall fail to appear, he shall forfeit and pay a Penalty not exceeding Forty Shillings, unless a reasonable Excuse be offered and sustained; and every such Penalty shall be paid to the Party citing the Witness or Haver, and shall be recovered in the same Manner as other Penalties under this Act, without Prejudice always to Letters of Second Diligence for compelling Witnesses and Havers to attend, as at present competent; and it shall be competent to the Sheriff of any County where a Witness or Haver resides who has failed to comply with the Citations originally issued to grant Letters of Second Diligence for compelling the Attendance of such Witnesses or Havers, and it shall be no Objection to any Witness that such Witness has appeared without Citation or without having been regularly cited.

Hearing and
Judgment. •

XIII. And be it enacted, That when the Parties shall appear the Sheriff shall hear them *vivâ voce*, and examine Witnesses or Havers upon Oath, and may also examine the Parties, and may put them or any of them upon Oath, in case of Oath in Supplement being required or of a Reference being made, and if he should see Cause may remit to Persons of Skill to report, or to any Person competent to take and report in Writing the Evidence of Witnesses or Havers who may be unable to attend upon special Cause shown, and such Cause shall in all Cases be entered in the Book of Causes kept by the Sheriff Clerk, due Notice of the Examination being given to both Parties, and thereupon the Sheriff may pronounce Judgment; and the Decree, stating the Amount of the Expences (if any) found due to any Party, (which may include personal Charges, if the Sheriff think fit,) and containing Warrant for Arrestment, and for Pounding and Imprisonment when competent, shall be annexed to the Summons or Complaint, and on the same Paper with it, agreeably to the Form in

Schedule (A.) annexed to this Act, or to the like Effect; which Decree and Warrant, being signed by the Clerk, shall be a sufficient Authority for instant Arrestment, and also for Poinding and Sale and Imprisonment, where competent, after the Elapse of Ten free Days from the Date of the Decree, if the Party against whom it shall have been given was personally present when it was pronounced, but if he was not so present Poinding and Sale and Imprisonment shall only proceed after a Charge of Ten free Days, by serving a Copy of the Complaint and Decree on the Party personally or at his Dwelling Place; and if any Decree shall not be enforced by Poinding or Imprisonment within a Year from the Date thereof, or from a Charge for Payment given thereon, such Decree shall not be enforced without a new Charge duly given as aforesaid.

XIV. And be it enacted, That no Procurators, Solicitors, nor any Persons practising the Law shall be allowed to appear or plead for any Party without Leave of the Court upon special Cause shown, and such Leave and the Cause thereof shall in all Cases be entered in the Book of Causes kept by the Sheriff Clerk; nor shall any of the Pleadings be reduced to Writing or be entered upon any Record, unless with Leave of the Court first had and obtained, in consequence of any Difficulty in point of Law or special Circumstances of any particular Case: Provided always, that when the Sheriff shall order any such Pleadings to be reduced to Writing every Case in which such Order shall be made shall thenceforth be conducted according to the ordinary Forms and Proceedings in Civil Causes and in Prosecutions for statutory Penalties, and shall be disposed of in all respects as if this Act had not been passed.

XV. And be it enacted, That any Defender who has been duly cited failing to appear personally or by one of his Family, or by such Person as the Sheriff shall allow, such Person not being an Officer of Court, shall be held confessed, and the other Party shall obtain Decree against him; and in like Manner if the Pursuer or Prosecutor shall fail to appear personally or by one of his Family, or by such Person as the Sheriff shall allow, such Person not being an Officer of Court, the Defender shall obtain Decree of Absolvitor, unless in either Case a sufficient Excuse for Delay shall be stated, on which account, or on account of the Absence of Witnesses, or any other good Reason, it shall at all Times be competent for the Sheriff to adjourn any Case to the next or any other Court Day, and to ordain the Parties and Witnesses then to attend.

XVI. And be it enacted, That where a Decree has been pronounced in Absence of a Defender it shall be competent for him, upon consigning the Expences decerned for, and the further Sum of Ten Shillings to meet further Expences, in the Hands of the Clerk, at any Time before a Charge is given, or in the event of a Charge being given before Implement of the Decree has followed thereon, provided in the latter Case the Period from the Date of the Charge does not exceed Three Months, to obtain from the Clerk a Warrant signed by him sisting Execution till the next Court Day or to any subsequent Court Day to which the same may be adjourned, and containing

containing Authority for citing the other Party, and Witnesses and Havers for both Parties; and the Clerk shall be bound to certify to the Sheriff on the next Court Day every such Application for Hearing and Sist granted; and such Warrant, being duly served upon the other Party personally or at his Dwelling Place in the Manner provided in other Cases by this Act, shall be an Authority for hearing the Cause; and in like Manner, where Absolvitor has passed in Absence of the Pursuer or Prosecutor, it shall be competent for him, at any Time within One Calendar Month thereafter, upon consigning in the Hands of the Clerk the Sum awarded by the Sheriff in his Decree of Absolvitor as the Expences for the Defender and his Witnesses, with the further Sum of Five Shillings to meet further Expences, to obtain a Warrant, signed by the Clerk, for citing the Defender and Witnesses for both Parties, which Warrant, being duly served upon the Defender in the Manner provided in other Cases by this Act, shall be an Authority for hearing the Cause as hereby provided in the Case of a Hearing at the Instance of the Defender, the said Sum of Expences awarded by the Sheriff and consigned as aforesaid being in every Case paid over to the other Party, unless the contrary shall be specially ordered by the Court; and all such Warrants for Hearing shall be in force, and may be served by any Sheriff Officer in any County, without Indorsation or other Authority than this Act.

Book of
Causes, &c.
to be kept.

XVII. And be it enacted, That the Sheriff Clerk shall keep a Book, wherein shall be entered all Causes conducted under the Authority of this Act, setting forth the Names and Designations of the Parties, and whether present or absent at the calling of the Cause, the Nature and Amount of the Claim and Date of giving it in, the Mode of Citation, the Leave and Cause of Procurators Appearance, the several Deliverances or Interlocutors, and the final Decree, with the Date thereof, which Book shall be signed each Court Day by the Sheriff; and the said Entries by the Clerk shall be according to the Form in Schedule (F.) annexed to this Act, or with such Addition as the Sheriff shall appoint; and the Sheriff Clerk shall also keep a Book or Books containing a Register or Registers of all Indorsations of Decrees and Warrants issued in other Counties, and of all Warrants for Arrestment on the Dependence, and of all Loosings of Arrestment, and of all Reports of Poindings or Sequestrations and Sales of Goods and Effects, which Registers shall be open and patent at Office Hours to all concerned, without Fee; and the Sheriff Clerk shall cause a Copy of the Roll of Causes to be tried on each Court Day to be exhibited to the Public on a patent Part of the Court House at least One Hour before the Time of meeting of such Court, and which shall continue there during the Time the Court shall be sitting; and the Sheriff Clerk or an Officer of Court shall audibly call the Causes in such Roll in their Order.

Power to
direct Pay-
ment by
Instalments.

XVIII. And be it enacted, That the Sheriff may, if he think proper, direct the Sum or Sums found due to be paid by Instalments weekly, monthly, or quarterly, according to the Circumstances of the Party found liable, and under such Conditions or Qualifications as he shall think fit to annex.

XIX. And

XIX. And be it enacted, That any Decree obtained under this Act may be enforced where competent against the Person or Effects of any Party in any other County as well as in the County where the Decree is issued: Provided always, that such Decree or an Extract thereof shall be first produced to and indorsed by the Sheriff Clerk of such other County, who is hereby required to make such Indorsement on Payment of the Fee herein-after mentioned.

Decrees may be enforced in any other County.

XX. And be it enacted, That the Sequestration or Poining and Sale shall be carried into effect by the Officer in a summary Way, by getting the Effects sequestrated or poinded duly appraised by Two Persons, who may also be Witnesses to the Sequestration or Poining, and leaving an Inventory or List thereof for the Party whose Effects are sequestrated or poinded, and not sooner than Forty-eight Hours thereafter carrying such Effects to the nearest Town or Village, or, in case the Sequestration or Poining shall take place in a Town or Village, to the Cross or most public Place thereof, and selling the same to the highest Bidder by public Roup between the Hours of Eleven Forenoon and Three Afternoon at the Cross or such most public Place, on previous Notice of at least Two Hours by the Crier, but reserving to the Sheriff, by such general Regulation or special Order in any particular Case as he shall think fit, to appoint a different Hour or Place for the Sale or a longer or different Kind of Notice to be given of the Time of selling; and in Sequestrations and Poinings the Overplus of the Price, if there shall be any, after Payment of the Sums decerned for, and the Expences, if Expences are awarded, including what is allowed by this Act for Sequestration or Poining and Sale, shall be returned to the Owner, or consigned with the Sheriff Clerk if the Owner cannot be found; or if the Effects are not sold the same shall be delivered over at the appraised Value to the Creditor to the Amount of the Sum decerned for and Expences, if awarded, and the Allowances for Sequestration or Poining and Sale; and a Report of the Proceedings in the Sequestration or Poining and Sale and Proceeds, or of the Delivery of the Effects, shall in every Case be made by the Officer to the Sheriff Clerk within Eight Days thereafter, agreeably to the Form in Schedule (G.) annexed to this Act, or to the like Effect; and where the Sheriff shall order a Sale of Goods or Effects arrested, the same Course of proceeding shall be adopted as is above directed in the Case of Poining and Sale; and no Officer to whom the Enforcement of Decrees or Warrants in Cases falling under this Act may be committed shall be liable to any Penalty, Fine, or Punishment for selling Goods or Effects under Authority of such Decrees or Warrants by public Auction, although such Officer may not be licensed as an Auctioneer, any thing in any Act or Acts to the contrary notwithstanding; and if any Person shall secrete or carry off or intromit with any poinded or sequestered Effects in fraudem of the poinding Creditors or of the Landlord's Hypothec, such Person shall be liable to summary Punishment by Fine or Imprisonment, as for Contempt of Court, either at the Instance of the private Party, with or without the Concurrence of the Procurator Fiscal, or at the Instance of the Procurator Fiscal, or *ex proprio motu* of the Sheriff, besides being liable otherwise as accords of Law.

Appraise-ment and Sale of poinded and seques-trated Effects.

One Witness
sufficient.

XXI. And be it enacted, That in all Charges and Arrestments, and Executions of Charges and Arrestments, under this Act, One Witness shall be sufficient, any Law or Practice to the contrary heretofore notwithstanding.

Actions for
Damages by
Riot under
3 G. 4. c. 33.
and for Re-
covery of
Assess-
ments au-
thorized by
9 G. 4. c. 39.
may be deter-
mined by
this Act.

XXII. And be it enacted, That all Actions of Damages for Compensation for Loss or Injury by the Act or Acts of any unlawful, riotous, or tumultuous Assembly in *Scotland*, or of any Person engaged in or making Part thereof, authorized to be brought by an Act passed in the Third Year of the Reign of His Majesty King *George* the Fourth, where the Sum concluded for does not exceed Eight Pounds Six Shillings and Eight-pence Sterling, as also all Actions for Recovery of Assessments by virtue of an Act passed in the Ninth Year of His said Majesty's Reign, intituled *An Act for the Preservation of the Salmon Fisheries in Scotland*, may be heard and determined in the summary Way provided by this Act, and this notwithstanding the Amount of such Assessments shall exceed Eight Pounds Six Shillings and Eight-pence Sterling.

Sheriffs to
hold Circuit
Courts for
Small Debt
Causes.

XXIII. And whereas by an Act passed in the Twentieth Year of the Reign of His Majesty King *George* the Second, for taking away and abolishing the Heritable Jurisdictions in *Scotland*, it is provided that Sheriffs may hold Itinerant Courts at such Times and Places within their respective Jurisdictions as they shall judge expedient, or as shall be directed or ordered by His Majesty, His Heirs and Successors; and by the said recited Act of the Tenth Year of the Reign of His Majesty King *George* the Fourth Provision is made for the necessary Accommodation for holding Courts for the Purposes of the said Act which the Sheriff should judge it expedient to hold at other than the usual Places for holding the same: And whereas it is expedient to make better Provision for holding Itinerant or Circuit Courts for the Purposes of this Act; be it enacted, That the several Sheriffs of the several Sheriffdoms in *Scotland* shall, in addition to their ordinary Small Debt Courts, by themselves or their Substitutes, hold Circuit Courts for the Purposes of this Act at such of the Places within each Sheriffdom set forth in the Schedule (H.) annexed to this Act, and for such Number of Times within each Place in each Year, not exceeding the Number of Times mentioned in the said Schedule (H.), as shall be directed by Warrant under Her Majesty's Sign Manual, and to be published in the *London Gazette*, at such Times as they shall deem best and most convenient to fix for the general Business of the County, if there shall be any Cause at such Places at such Times to try, but as nearly as may be at equal Intervals between each Court, except as herein-after provided, and shall remain at each such Place until the Causes ready to be heard shall be disposed of; and each Sheriff Clerk, or a Depute appointed by him, is hereby required to attend at such Places and Times within his Sheriffdom, and to find the necessary Accommodation for holding all such Courts on his own Charges and Expences in respect of the Fees allowed by this Act: Provided always, that no Sheriff Clerk shall acquire a vested Right to any increased Amount of Fees or Emoluments to be drawn under this Act, or shall be entitled to Compensation in consequence of being deprived of such increased Amount

Amount of Fees or Emoluments or of any future Regulation thereof by any Act to be hereafter passed.

XXIV. And be it enacted, That the several Sheriffs of the several Sheriffdoms, with the Consent and Approbation of One of Her Majesty's Principal Secretaries of State, may from Time to Time change the Places or Number of Times at which such Circuit Courts shall be directed to be held as aforesaid, or discontinue the same or any of them in any Sheriffdom in which such Circuit Courts or any of them may be found unnecessary or inexpedient, or direct any Two of such Courts held in Islands or other Places where it may be deemed expedient to be held at short Intervals from each other, or direct Circuit Courts to be held at such Places in any Sheriffdom although not mentioned in the said Schedule (H.), or in such additional Places in Counties mentioned in the said Schedule, as may seem necessary and proper; and all such additional Circuit Courts shall be held in Terms of the Provisions and Directions of this Act.

Sheriff empowered to change Places and Times.

XXV. And be it enacted, That the Sheriff Clerk of each Sheriffdom shall attend personally or appoint a Depute to act at each of the Places at which Courts may be directed to be held in Terms of this Act, and such Depute shall in the Absence of the Principal Clerk attend at and during the holding of such Circuit Courts, and shall thereat perform all the Duties by this Act required to be performed by the Sheriff Clerk; and if such Depute shall not be resident in such Place the Sheriff Clerk may also appoint a proper Person resident in such Place or in its immediate Vicinity to issue the Summonses or Complaints which may be applied for and issued under the Provisions of this Act, and the Principal Clerk shall give or cause to be given due Intimation of the Name, Description, and Residence of each Person so appointed Depute Clerk, and of the Person appointed to issue Summonses and Complaints as aforesaid, by Notice in the Form set forth in Schedule (I.) hereunto annexed, and which Notice, being signed by the Sheriff Clerk, shall, without being stamped, be a sufficient Commission to such Sheriff Clerk Depute, and such Notice or a Copy thereof shall be affixed on or near the Doors of the Church of the Parish within which such Court is to be held, and also, if he shall see Cause, by Advertisement in the Newspaper or Newspapers of the greatest reputed Circulation in the Neighbourhood, and Notice shall in like Manner be given by the Sheriff Clerk, in the Form of Schedule (K.) hereunto annexed, of the Times at which such Circuit Courts shall be fixed to be held: Provided always, that no Person who shall act as Depute Clerk for the Purposes of this Act, and for no other Purposes, shall be thereby disqualified from acting as a Procurator before any Court, except the Small Debt Court in which he shall act as aforesaid, or from being registered or from voting under any Act or Acts of Parliament relative to the Election of Members of Parliament or of Magistrates of Burghs.

Sheriff Clerks to appoint Deputes, and to give Notices.

XXVI. And be it enacted, That each Sheriff shall, Three Months before holding any Circuit Court in Terms of this Act, by a Minute entered in the Sederunt Book of his Court and published in such Manner as he may think proper, and of which a printed Copy shall be publicly

Actions to be brought in the Place of Defender's Domicile.

publicly affixed at all Times on the Walls of every Sheriff Court Room within his Sheriffdom, apportion the Parishes or Parts of Parishes which shall for the Purposes of this Act be within the Jurisdiction of any Small Debt Court to be held within his Sheriffdom as aforesaid, and thereafter from Time to Time alter such Apportionment as the Circumstances may require, and such Alteration shall be published as aforesaid for at least Three Months before the same shall take effect, and all Causes shall be brought before the Ordinary Small Debt Court or any Circuit Small Debt Court within the Jurisdiction of which the Defender shall reside or to the Jurisdiction of which he shall be amenable : Provided always, that if there shall be more Defenders than One in One Cause of Action who shall be amenable to the Jurisdiction of different Courts, or if from any other Cause the Sheriff shall be satisfied that such Course shall be expedient for the Ends of Justice, it shall be competent to the Sheriff, upon summary Application in Writing made by or for any Pursuer lodged with the Sheriff Clerk, or upon verbal Application made by or for any Pursuer in open Court, to order a Summons or Complaint to be issued, and the Cause to be brought before his Ordinary Small Debt Court or before any of his Circuit Small Debt Courts, as shall appear most convenient ; and such Summons or Complaint shall be issued accordingly on the Sheriff writing and subscribing thereon the Name of the Court before which the same is to be heard.

Sheriff may
adjourn
Causes to
any of his
other Small
Debt Courts.

XXVII. And be it enacted, That the Sheriff may, where the Ends of Justice and the Convenience of the Parties require it, adjourn and remove the further Hearing of or Procedure in any Sequestration, Multiplepoinding, or any other Cause from his Ordinary Small Debt Court to any of his Circuit Small Debt Courts, and from any of his Circuit Small Debt Courts to his Ordinary or any other Circuit Small Debt Court, or to any Diet of his Ordinary Court, to be there dealt with according to the Provisions of this Act, or to any other Time or Place specially appointed for the Purpose ; and such Order of Adjournment and Removal shall be held due Notice to the Parties of such Adjournment and Removal being made, unless further Notice shall be ordered.

Sheriff of •
Moray may
hold Courts
at Grantown.

XXVIII. And whereas in the Upper District of *Morayshire* which borders on the River *Spey* there is no Place in which Circuit Courts can be conveniently held, but such Court could be conveniently held in the Village of *Grantown*, situated in a detached Part of the County of *Inverness*, in the immediate Vicinity of the said District of *Morayshire* ; be it therefore enacted, That in case it shall be directed by One of Her Majesty's Principal Secretaries of State that a Circuit Court should be established in Terms of this Act for the Upper District of *Morayshire*, it shall be competent to the Sheriff of *Morayshire* or his Substitutes to grant Warrants and to hold Courts for the Trial of all Causes competent under this Act, and to pronounce Judgment therein, within the said Village of *Grantown*, in the same Way and to the same Effect in all respects as if such Courts were held and Warrants were granted and Judgments pronounced within the said County of *Moray* ; and it shall also be competent to the Sheriff Clerk and Officers of *Morayshire* to issue Summonses and perform other Duties

Duties authorized by this Act within the Village of *Grantown* in like Manner as within the County of *Maray*.

XXIX. And be it enacted, That an Account of the travelling and other Charges incurred by the Sheriff and Sheriff Clerks in going to, living at, and returning from the Places where such Circuit Courts shall be held as aforesaid shall be rendered annually in Exchequer with the other Charges of the Sheriffs, and such Accounts being there audited shall be allowed to an Amount for the Sheriff not exceeding Five Pounds, and for the Sheriff Clerk not exceeding One Pound Ten Shillings for each Court, and paid out of the public Revenue of *Scotland* as the Charges of the Sheriffs are in use to be paid.

Sheriff and
Sheriff Clerks
Expences
at Circuit
Courts.

XXX. And be it enacted, That no Decree given by any Sheriff in any Cause or Prosecution decided under the Authority of this Act shall be subject to Reduction, Advocation, Suspension, or Appeal, or any other Form of Review or Stay of Execution, other than provided by this Act, either on account of any Omission or Irregularity or Informality in the Citation or Proceedings, or on the Merits, or on any Ground or Reason whatever.

Decree not
subject to
Review, ex-
cept as hereby
provided.

XXXI. And be it enacted, That it shall be competent to any Person conceiving himself aggrieved by any Decree given by any Sheriff, in any Cause or Prosecution raised under the Authority of this Act, to bring the Case by Appeal before the next Circuit Court of Justiciary, or, where there are no Circuit Courts, before the High Court of Justiciary at *Edinburgh*, in the Manner, and by and under the Rules, Limitations, Conditions, and Restrictions, contained in the before-recited Act passed in the Twentieth Year of the Reign of His Majesty King *George* the Second, for taking away and abolishing the Heritable Jurisdictions in *Scotland*, except in so far as altered by this Act: Provided always, that such Appeal shall be competent only when founded on the Ground of Corruption or Malice and Oppression on the Part of the Sheriff, or on such Deviations in point of Form from the statutory Enactments as the Court shall think took place wilfully, or have prevented substantial Justice from having been done, or on Incompetency, including Defect of Jurisdiction of the Sheriff; provided also, that such Appeals shall be heard and determined in open Court, and that it shall be competent to the Court to correct such Deviation in point of Form, or to remit the Cause to the Sheriff with Instructions or for re-hearing generally, and it shall not be competent to produce or found upon any Document as Evidence on the Merits of the original Cause which was not produced to the Sheriff when the Case is heard, and to which his Signature or Initials have not been then affixed, which he is only to do if required, nor to found upon nor refer to the Testimony of any Witness not examined before the Sheriff, and whose Name is not written by him when the Case is heard upon the Record Copy of the Summons, which he is to do when specially required to that Effect: Provided further, that no Sist or Stay of the Process and Decree, and no Certificate of Appeal, shall be issued by the Sheriff Clerk, except upon Consignation of the whole Sum, if any, decerned for by the Decree and Expences, if any, and Security found for the whole Expences which may be incurred and found due under the Appeal.

Form of
Review pro-
vided.

Fees to be
taken.

XXXII. And be it enacted, That the following and no other or higher Fees or Dues of Consignation shall be allowed to be taken for any Matters done in any Cause or Prosecution raised under the Authority of this Act:

Clerk's Fees in Causes under this Act.

Summons, including Precept of Arrestment, One Shilling:

Each Copy for Service, Sixpence:

Entering in Procedure Book, Sixpence:

• Renewed Warrant to arrest on Dependence, and entering in Book, One Shilling:

Certificate loosing Arrestment, One Shilling:

Bond of Caution, One Shilling and Sixpence:

Second Diligence for compelling Witnesses or Havers to attend, One Shilling:

Decree, including Extract, if demanded, One Shilling:

Hearing after Decree in Absence, One Shilling and Sixpence:

Indorsation of Decree or Warrant, and entering in Book, One Shilling:

Receiving Report of Sequestration and Appraisement, and entering in Book, One Shilling:

Receiving Report of Sale under Sequestration, and entering, One Shilling:

Receiving Report of Poinding and Sale, and entering, One Shilling and Sixpence.

Officer's Fees, including Assistants.

Citation of a Party or Intimation of counter Claim, and Execution of

Citation given personally, One Shilling:

Ditto, ditto, if Citation not given personally, Sixpence:

Citation of a Witness or Haver, Sixpence:

Charging on Decree, and returning Execution of Charge, One Shilling:

Arrestment, and returning Execution thereof, Sixpence:

Intimation of loosing Arrestment, and Execution thereof, Sixpence:

Poinding or Sequestration and Inventory, Two Shillings and Sixpence:

Sale and Report, Two Shillings and Sixpence:

Officer's Travelling Expences, for each complete Mile from the Cross or Tron or other usual Place of Measurement in the Town or Place where the Court is held, where there is any such, or if there be none such, then from the Court House of such Town or Place to the Place of Execution or Service, the Distance travelled in returning after Execution of the Duty not to be reckoned, Sixpence:

Assistants, each *per* Mile, in the same Manner, Four-pence.

Crier's Fee.

For calling each Cause, One Penny, payable when Summons is issued.

Table of Fees
to be printed
and hung up.

• XXXIII. And be it enacted, That an exact Copy of the immediately preceding Section of this Act shall be printed on each Summons

mons or Complaint, and on each Service Copy thereof, and shall also be at all Times hung up in every Sheriff Clerk's Office and in every Sheriff Court Place during the holding of any Sheriff's Small Debt Court; and any Sheriff Clerk from whose Office any Summons or Service Copy thereof shall be issued not having such Copy of the said Section printed thereon, or at any Time omitting to have such Copy hung up in his Office or in the Sheriff Court Place as aforesaid, or not causing the Roll of Causes each Court Day to be publicly exhibited, or not causing the Number and Names of the Parties in such Roll to be called in their Order as aforesaid, except with Leave of the Sheriff upon Cause shown in open Court, shall be liable in a Penalty not exceeding Forty Shillings, to be recovered at the Instance of any Person who shall prosecute for the same, and to be disposed of as the Sheriff shall direct.

XXXIV. And be it enacted, That in all or any of the Cases above mentioned, where any Decree or Warrant shall have been indorsed as aforesaid, the Sheriff's Officer of the County where such Decree or Warrant has been originally issued, as well as of any County wherein the same is indorsed, are hereby authorized and required to obey and enforce such Decree or Warrant within such other County; and any Sheriff's Officer failing to report any Sequestration or Poining and Sale as above directed, or violating or neglecting any other Duty intrusted to him under this Act, or wilfully acting contrary to any Provision thereof, shall be liable in a Penalty not exceeding Forty Shillings, to be recovered at the Instance of any Person aggrieved thereby, and to be disposed of as the Sheriff shall direct, reserving always all further Claim of Damages otherwise competent against any such Officer, and without Prejudice to the Sheriff's lawful Authority to remove and punish all Officers of his Court for Misbehaviour or Malversation in Office.

Officers neglecting Duty to be fined.

XXXV. And be it enacted, That no Person whatsoever shall be exempt from the Jurisdiction of the Sheriff in any Cause or Prosecution raised under the Authority of this Act on account of Privilege, as being a Member of the College of Justice, or otherwise.

Privileged Persons not exempt.

XXXVI. And be it enacted, That in all Causes and Prosecutions wherein the Debt, Demand, or Penalty shall not exceed the Value of Eight Pounds Six Shillings and Eight-pence Sterling, exclusive of Expences and Fees of Extract, which shall in future be brought or carried on before any Court not according to the summary Form herein provided, it shall be lawful for the Judge in such Court notwithstanding to allow no other or higher Fees or Expences to be taken or paid than those above mentioned.

Courts may limit Fees in Causes not exceeding 8*l.* 6*s.* 8*d.*

XXXVII. And be it enacted, That in all Cases in this Act or in the Schedules hereto annexed the Word "Sheriff" shall be held to include Sheriff Depute and Steward Depute, and Sheriff Substitute and Steward Substitute; the Words "Sheriff Substitute" to include Steward Substitute; the Words "Sheriff Court" to include and apply to the Court of the Sheriff or Steward or their Substitutes; the Words "Sheriff Clerk" to include Steward Clerk and Depute Sheriff

Meaning of Words in this Act.

Sheriff Clerk and Deputy Steward Clerk; the Word "Shire" or "County" to include Stewartry; the Word "Sheriffdom" to include and be included in the Words Shire, County, or Stewartry; the Word "Person" to extend to a Partnership, Body Politic, Corporate, or Collegiate, as well as an Individual; the Word "Landlord" to include any Person having a Right to exact Rent, whether as Owner, Life-renter, Heritable Creditor in Possession, principal Tenant, or otherwise; and every Word importing the Singular Number only shall extend and be applied to several Persons or Things as well as one Person or Thing; and every Word importing the Plural Number shall extend and be applied to one Person or Thing as well as several Persons or Things; and every Word importing the Masculine Gender only shall extend and be applied to a Female as well as a Male: Provided always, that those Words and Expressions occurring in this Clause to which more than One Meaning is attached shall not have the different Meanings given to them by this Clause in those Cases in which there is any thing in the Subject or Context repugnant to such Construction.

Act may be
repealed, &c.

XXXVIII. And be it enacted, That this Act may be repealed, altered, or amended by any Act or Acts to be passed during the present Session of Parliament.

SCHEDULES to which the foregoing Act refers.

SCHEDULE (A.)

No. 1.

Summons or Complaint in a Civil Cause.

A.B., Sheriff of the Shire of _____ to
Officers of Court, jointly and severally.

WHEREAS it is humbly complained to me by C.D. [*design him*], that E.F. [*design him*], Defender, is owing the Complainer the Sum of _____ [*here insert the Origin of Debt or Ground of Action, and whenever possible the Date of the Cause of Action or last Date in the Account*], which the said Defender refuses or delays to pay; and therefore the said Defender ought to be decerned and ordained to make Payment to the Complainer, with Expences: Herefore it is my Will, that on Sight hereof ye lawfully summon the said Defender to compear before me or my Substitute in the Court House at _____ upon the Day of _____ at _____ of the Clock, to answer at the Complainer's Instance in the said Matter, with Certification, in case of Failure, of being held as confessed; requiring you also to deliver to the Defender a Copy of any Account pursued for, and that ye cite Witnesses and Havers for both Parties to compear at the said Place and Date, to give Evidence in the said Matter; and in the meantime that ye arrest in security the Goods, Effects, Debts, and Sums of Money belonging to the Defender as accords of Law. Given under the Hand of the Clerk of Court at _____ the _____ Day of _____

J.P. Sheriff Clerk.

No. 2.

Citation for Defender.

E.F., Defender, above designed, you are hereby summoned to appear and answer before the Sheriff in the Matter, and at the Time and Place, and under the Certification set forth in the above Copy of the Summons or Complaint against you.

This Notice, served upon the Day
of by me, J.T. Sheriff's Officer.

No. 3.

Execution of Citation of Defender.

UPON the Day of One thousand eight hundred and I duly summoned the above-designed *E.F.*, Defender, to appear and answer before the Sheriff in the Matter, and at the Time and Place, and under the Certification above set forth. This I did by leaving a full Copy of the above Summons or Complaint, with a Citation thereto annexed*, for the said Defender [in his Hands personally, or otherwise, as the Case may be].

J.T. Sheriff's Officer.

* If there is an Account mentioned in the Complaint the Officer must serve a Copy of it along with a Copy of the Summons or Complaint.

No. 4.

Execution of Notice of counter Claim by Defender against Pursuer.

UPON the Day of I gave Notice to *C.D.*, Pursuer, of the above counter Account [or Claim] intended to be pleaded against him by *E.F.*, Defender in the Small Debt Action to which the said Defender was summoned to appear before the Sheriff at upon the Day of at of the Clock. This I did by leaving a Copy of the above Account [or Notice of Claim, shortly explaining it,] for the said Pursuer [in his Hands personally, or otherwise, as the Case may be].

J.T. Sheriff Officer.

No. 5.

Citation for Witnesses.

M.N. [design him], you are hereby summoned to appear before the Sheriff of the Shire of or his Substitute, in the Court House at upon the Day of One thousand eight hundred and at of the Clock, to bear Witness for the [Pursuer or Defender, as the Case may be,] in the Summons or Complaint at the Instance of *C.D.* [design him] against *E.F.* [design him], and that under the Penalty of Forty Shillings if you fail to attend.

This Notice served on the Day of by me, J.T. Sheriff Officer.

No. 6.

Execution of Citation of Witnesses.

UPON the Day of One thousand eight
 hundred and I duly summoned *M.N.*, &c. [*design them*],
 to appear before the Sheriff of the Shire of or his
 Substitute, in the Court House at upon the
 Day of One thousand eight hundred and
 at of the Clock, to bear Witness for the in
 the Summons or Complaint at the Instance of *C.D.* [*design him*]
 against *E.F.* [*design him*]. This I did by delivering a just Copy of
 Citation, signed by me, to the said *M.N.* [*personally, or otherwise, as*
the Case may be].

J.T. Sheriff Officer.

No. 7.

Decree for Pursuer in a Civil Cause.

AT the Day of One thousand
 eight hundred and the Sheriff of the Shire of
 finds the within-designed Defender liable to the Pur-
 suer in the Sum of with of Expences, and
 decerns and ordains instant Execution by Arrestment, and also
 Execution to pass hereon by Poinding and Sale and Imprisonment, if
 the same be competent, after free Days.

J.P. Sheriff Clerk.

No. 8.

Summons of Complaint for Statutory Penalty.

A.B. Sheriff of the Shire of to Officers
 of Court, jointly and severally.

WHEREAS it is humbly complained to me by *C.D.*, Procurator
 Fiscal of Court, [*or, where a private Party only,*] *G.H.* [*Designa-
 tion*], [*or, where a private Party prosecutes with the Concurrence of
 the Procurator Fiscal,*] *G.H.*, with Concurrence of *C.D.* Procurator
 Fiscal of Court, that *E.F.* [*Designation*], Defender, has incurred
 the Penalty of imposed by the Act of Parliament [*mention
 the Act*], the said Defender having [*state the Offence,
 specifying Time and Place*]; therefore the said Defender ought to
 be decerned and ordained to make Payment of the said Penalty, with
 Expences [*state to whom and in what Proportions payable, and the
 Term of Imprisonment where the same is the Mode of Recovery*]:
 Herefore it is my Will, that on Sight hereof ye lawfully summon the
 said Defender to compear before me or my Substitute in the Court
 House at upon the Day of
 at of the Clock, to answer at the Complainer's Instance in
 the said Matter, with Certification, in case of Failure, of being held
 as confessed; and that ye cite Witnesses and Havers for both Parties
 to compear at the same Place and Date to give Evidence in the
 said

said Matter. Given under the Hand of the Clerk of Court at
the Day of .

J.P. Sheriff Clerk.

Concurs C.D., Procurator Fiscal.

[For Citation for Defender and Execution thereof, and Citation
for Witnesses and Execution thereof, see Nos. 2, 3, 4, and 5
respectively.]

No. 9.

Decree for Prosecutor in Prosecution for Penalty.

At the Day of One thousand
eight hundred and the Sheriff of the Shire of
finds that the within-designed E.F., Defender, has incurred the Penalty
of as libelled, payable to [if there is a
Power to mitigate, and Mitigation, add, "which is hereby mitigated
to the Sum of "], and also finds the said Defender liable
in of Expences to the Complainer, and decerns and
ordains instant Execution by Arrestment, and also Execution by
Pounding and Sale and Imprisonment, if the same be competent
[stating the Term of Imprisonment, where it is fixed], after
free Days.

J.P. Sheriff Clerk.

No. 10.

Decree of Absolvitor, with Expences.

[The following will answer either for Civil Causes or Prosecutions for Penalties.]

At the Day of
One thousand eight hundred and the Sheriff of the
Shire of assolzies the within-designed E.F., Defender,
from the within Complaint, and finds the within-designed C.D.,
Pursuer, liable to him in the Sum of of Expences,
and decerns and ordains instant Execution by Arrestment, and also
Execution to pass hereon by Pounding and Sale after free
Days.*

J.P. Sheriff Clerk.

* Where the Pursuer does not return the original Summons the above Decree may
be written on the Copy served on the Defender.

No. 11.

Charge on Decree.

E.F., above designed, you are hereby charged to implement the
Decree of which, and of the Complaint whereon the same proceeded,
the above is a Copy, within Days from this Date,
under pain of Pounding and Sale without further Notice. This
Charge given by me, on the Day of
before O.P. [design him].

J.T. Sheriff Officer.

• No.12.

Execution of Charge.

[*To be on the same Paper with the Complaint and Decree.*]

ON the Day of One thousand eight hundred and I duly charged *E.F.*, above designed, to implement the above Decree within the Time and under the Pains therein expressed. This I did by delivering a just Copy of the foregoing Complaint and Decree, and a Charge thereto annexed subscribed by me, to the said *E.F.* [personally, or as the Case may be,] before *O.P.* [*design him*], Witness hereto, with me subscribing.

O.P. Witness.

J.T. Sheriff Officer.

SCHEDULE (B.)

Summons of Sequestration and Sale at the Instance of a Landlord.

A.B. Sheriff of the Shire of to Officers of Court, jointly and severally.

WHEREAS it is humbly complained to me by *C.D.*, Pursuer, [*design him*], that *E.F.*, Defender, [*design him*], is owing to the Pursuer the Sum of , being the Rent for [*describe the Premises*], possessed by him, from to [*if any partial Payments have been made let them be here stated*], and which Rent [*or Balance of Rent, as the Case may be*], the said Defender refuses or delays to pay; therefore Warrant ought forthwith to be granted to inventory, appraise, sequester, and, if need be, secure the Goods and Effects upon or within the said Premises, and Decree ought to be pronounced decerning the Defender to make Payment of the said Rent [*or Balance of Rent, as the Case may be*], to the Pursuer, with Expences, and Warrant ought also to be granted to sell the Goods and Effects sequestered in Payment of the said Rent [*or Balance of Rent, as the Case may be*], and Expences: Herefore it is my Will, that on Sight hereof ye lawfully summon the said Defender to compear before me or my Substitute, within the Court House of upon the Day of at of the Clock, to answer at the Pursuer's Instance in the said Matter, with Certification, in Case of Failure, of being held as confessed, and Decree and Warrant pronounced as craved: And my Will further is, that ye forthwith inventory, sequester, and, if need be, secure the Goods and Effects upon or within the said Premises until the further Orders of Court, or until the said Defender shall make Payment to the Pursuer of the Amount of the Rents pursued for, with the Expences, or shall consign in the Hands of the Clerk of Court the Amount of the Rents pursued for, with Two Pounds Sterling to cover Expences; and that ye cite Witnesses and Havers for both Parties to compear at the said Place and Date, to give Evidence in the said Matter. Given under the Hand of the Clerk of Court at the Day of .

J.P. Sheriff Clerk.

[*After hearing the Cause the Decree and Procedure in the Sequestration and Sale will be similar to the Forms in ordinary Causes, the Words "Sequestration" and "sequestered" being introduced when necessary instead of "Poinding" and "poinded".*]

SCHEDULE (C.)

Arrestment on the Dependence of an Action.

By virtue of a Warrant of the Sheriff of the Shire of
 given under the Hand of the Clerk of Court at on the Day
 of for Arrestment on the Dependence of an Action raised
 before the said Sheriff at the Instance of *C.D.* [*design him*], Com-
 plainer, against *E.F.* [*design him*], Defender, I hereby fence and
 arrest in the Hands of you *K.L.* [*design him*], all Sums of Money
 owing by you to the said Defender, or to any other Person for his
 Use and Behoof, and all Goods and Effects in your Custody belonging
 to the said Defender [*or, in the Case of Ships or maritime Subjects,*
say, I hereby fence and arrest the Ship M. of N. presently lying in
the Harbour of O., with her Boats, Furniture, and Apparelling, or
other maritime Subjects], and that to an Amount or Extent not
 exceeding the Value of Eight Pounds Six Shillings and Eight-pence
 Sterling, all to remain under sure Fence and Arrestment, at the Com-
 plainer's Instance, until due Consignation be made or until sufficient
 Caution be found as accords of Law. This I do on the Day
 of before *O.P.* [*design him*], by Delivery of a Copy of this
 Execution to you [*personally, or as the Case may be*].

J.T. Sheriff Officer.

Execution of Arrestment on the Dependence of an Action.

[*To be on the same Paper with the Summons or other Warrant of Arrestment.*]

UPON the Day of One thousand eight hundred
 and , betwixt the Hours of and , by
 virtue of the foregoing Warrant of Arrestment, I lawfully fenced and
 arrested in the Hands of *K.L.* [*design him*] all Sums of Money
 owing by him to the foresaid *E.F.*, Defender, or to any other Person
 for his Use and Behoof, and all Goods and Effects in the Custody
 of the said Arrestee belonging to the said Defender, [*or, in case*
of Ships or maritime Subjects, as before,] and that to an Amount or
 Extent not exceeding the Value of Eight Pounds Six Shillings and
 Eight-pence Sterling, all to remain under sure Fence and Arrestment,
 at the foresaid Complainer's Instance, until due Consignation be made
 or until sufficient Caution be found as accords of Law. This I did
 by delivering a just Copy of Arrestment, subscribed by me, to the
 said Arrestee personally [*or as the Case may be*], before *O.P.* [*design*
him], hereto with me subscribing.

O.P. Witness.

J.T. Sheriff Officer.

Bond or Enactment of Caution for loosing Arrestment.

At on Day of
 One thousand eight hundred and compeared *G.H.* [*design*
him], who hereby judicially binds himself, his Heirs, Executors, and
 Successors, as Cautioners acted in the Sheriff Court Books of the
 5 E Shire

1° VICTORIÆ, Cap. 41.

Shire of _____ for *E.F.* [*design him*], common Debtor, against whom Arrestment was used at the Instance of *C.D.* [*design him*], in the Hands of *K.L.* [*design him*], on the _____ Day of _____, in virtue of [*describe the Warrant*], dated the _____ Day of _____, that the Sums of Money, Goods, and Effects owing or belonging to the said common Debtor, arrested as aforesaid, shall be made forthcoming as accords of Law.

G.H.

Certificate for loosing Arrestment used on the Dependence of an Action.

WHEREAS Arrestment was used on the Dependence of an Action at the Instance of *C.D.* [*design him*], against *E.F.* [*design him*], in the Hands of *K.L.* [*design him, or as the Case may be*], on the _____ Day of _____, by virtue of a Warrant of the Sheriff of the Shire of _____ given under the Hand of the Clerk of Court at _____ the _____ Day of _____: And whereas the said *E.F.* has now made sufficient Consignation in the Hands of the Sheriff Clerk of _____ [*or, if Caution has been found, say,*] has found sufficient Caution acted in the Sheriff Court Books of _____ by *G.H.* [*design him*], his Cautioner, [*here state the Nature of the Caution,*] in order to the loosing of the said Arrestment, Warrant for loosing the said Arrestment is hereby granted accordingly. Given under the Hand of the Clerk of Court at _____ the _____ Day of _____

J.P. Sheriff Clerk.

Intimation of loosing Arrestment.

[*To be on the same Paper with a Copy of the foregoing Warrant.*]

K.L. [*design him*], take notice, That by virtue of the Warrant whereof the above is a Copy the Arrestment on the Dependence of the Action above mentioned, used in your Hands at the Instance of the foresaid *C.D.* against the foresaid *E.F.*, is loosed and taken off. This Notice served on the _____ Day of _____ by me,

J.T. Sheriff Officer.

Execution of Intimation of loosing Arrestment.

[*To be on the same Paper with the original Warrant for loosing the Arrestment.*]

UPON the _____ Day of _____ One thousand eight hundred and _____ I duly intimated the above Warrant to *K.L.* [*design him*], Arrestee. This I did by leaving a full Copy thereof and Intimation thereon, subscribed by me, for him [*in his Hands personally, or as the Case may be*].

J.T. Sheriff Officer.

SCHEDULE (D.)

Summons of Complaint in Cases of Forthcoming.

A. B. Sheriff of the Shire of to
Officers of Court, jointly and severally.

WHEREAS it is humbly complained to me by C. D. [*Designation*], upon and against K. L. [*Designation*], Arrestee, and E. F. [*Designation*], common Debtor, that the said common Debtor is owing the Complainer the Sum of contained in [*describe shortly the Decreet, or Bill, or Bond, et cætera, by which the Debt is constituted*], and that the Complainer on the Day of Years, in virtue of a Warrant by dated the Day of , arrested in the Hands of the Arrestee [*here insert the Terms of the Arrestment used*], which ought to be made forthcoming to the Complainer: Therefore the said Arrestee, and the said common Debtor for his Interest, ought to be decerned and ordained to make forthcoming, pay, and deliver to the Complainer the Money, Goods, and Effects arrested as aforesaid, or so much thereof as will satisfy and pay the said Sum of owing to the Complainer as aforesaid: Herefore it is my Will, that on Sight hereof ye lawfully summon the said Arrestee, and the said common Debtor for his Interest, to compare before me or my Substitute in the Court House at upon the Day of Years, at of the Clock, to answer at the Complainer's Instance in the said Matter, with Certification in case of Failure of being held as confessed; and that ye cite Witnesses and Havers for both Parties to compare at the said Place and Date to give Evidence in the said Matter. Given under the Hand of the Clerk of Court at the Day of Years.

J. P. Sheriff Clerk.

[*The Citations and Executions, and Decree for the Defender, with Expences, may be the same as in Schedule (A.)*]

Decree for the Pursuer in Cases of Forthcoming.

At the Day of One thousand eight hundred and the Sheriff for the Shire of decerns and ordains the within-designed Arrestee, to make forthcoming, pay, and deliver to the also within-designed Pursuer [*if the Arrestee has Money arrested in his Hands the rest of the Judgment will be the same as in ordinary Cases; if there are Goods and Effects to be made forthcoming the rest of the Judgment will be as follows:*] the arrested Goods and Effects following; videlicet, , and grants Warrant to sell the same, or as much thereof as will satisfy the Sum of and of Expences of Process and the Expence of Sale; and failing the said Arrestee making, forthcoming, and delivering the said Goods and Effects within , then to make Payment to the the

the said Pursuer of the said Sum of _____, for Recovery of which Sums, the said Period being elapsed without forthcoming and Delivery of the said Goods and Effects, ordains instant Execution by Arrestment, and also Execution to pass hereon by Poinding and Sale and Imprisonment, if the same be competent, after
ree Days.

J.P. Sheriff Clerk.

SCHEDULE (E.)

Summons of Multiplepoinding.

A.B. Sheriff of the Shire of _____ to _____ Officers
of Court, jointly and severally.

WHEREAS it is humbly shown to me by A.B., Pursuer, [*design him,*] that he is Holder of [*here state the Fund or Subject in medio, and if necessary refer to the Account thereof produced,*] belonging to E.F., common Debtor, [*design him,*] which Fund the Pursuer is ready to pay [*or deliver*] to the said common Debtor, or to whomsoever shall be found to have best Right thereto, but he is distressed by Claims being made thereon by the Persons following, videlicet, [*here state the Names and Designations of all the Claimants, so far as known to the Holder or Raiser of the Action*]; wherefore the said Pursuer ought to be found liable only in once and single Payment [*or Delivery*] of the said Fund or Subject to whomsoever of the said Parties or others interested shall be found by me to have best Right thereto [*or in the meantime Consignation ought to be ordered of the Fund or Subject or Sale of the Subject in medio*], deducting the Pursuer's Expences, and Decree ought to be pronounced accordingly, and all other Parties ought to be prohibited from molesting the Pursuer thereanent in all Time coming: Herefore it is my Will, that on Sight hereof ye lawfully summon the said common Debtor and the said Claimants [*and in case of the Action being raised by a Claimant in Name of the Holder, it will be necessary also to summon the nominal Pursuer,*] to compear before me or my Substitute in the Court House of _____ upon the _____ Day of _____ at _____ of the Clock, to attend to their several Interests in the said Matter, with Certification in case of Failure of being held as confessed; requiring you also to deliver to the said common Debtor a Copy of any Account produced with the Summons, and that he cite Witnesses and Havers for all Parties to compear at the said Place and Date to give Evidence in the said Matter. Given under the Hand of the Clerk of the Court at the _____ Day of _____.

J. P. Sheriff Clerk.

Form of Claim in Multiplepoinding.

I A.B. [*design him*] hereby claim to be preferred on the Fund in the Multiplepoinding raised in Name of [*mention the Raiser*] against [*mention the Defenders*], for [*state the Claim*] of Principal due to me by [*here state generally the Ground of Debt, whether by Bond, Bill, Account, &c., as the Case may be*], with Interest from _____ with Expences.

A. B.

*Form of Interlocutor of Preference.*PREFERS [*here design him*], Claimant for [*here specify the Sum*].[*To be signed by the Sheriff.*]

[*The Citations and Procedure to be as nearly as may be in the Forms in other Causes, and Warrant to sell the Subjects forming the Fund in medio to be granted and carried into effect in the ordinary Form.*]

SCHEDULE (F.)

No.	Dates of Complaints.	Pursuers.	Defenders.	Nature and Amount.	How cited.	By what Officer.	Leave and Cause of Procurator's Appearance.	Interlocutors and Decrees.

N.B.—After the Name of each Pursuer and Defender let the letter P. or A. be added, in order to mark whether the Party was present or absent when the Cause was called; and should the Party appear by or with any other Person or a Procurator his or her Name shall be marked as so appearing. Let Expenses be also entered under the Head of “Interlocutors.”

SCHEDULE (G.)

Report of Sequestration or Poinding and Sale.[*To be varied according to Circumstances.*]

REPORT of the Sequestration or Poinding and Sale at the Instance of C.D. [*design him*] against E.F. [*design him*].

Lots.	EFFECTS.	Appraised at	Sold at
		£ s. d.	£ s. d.
1.	An Eight-Day Clock - - -	4 0 0	4 10 0
2.	Six Chairs, at 6s. - - -	1 16 0	1 18 0
3.	One Table - - -	0 8 0	0 8 0
4.	One Chest of Drawers - - -	1 12 0	1 12 0
	£	7 16 0	8 8 0

Upon the Day of One thousand eight hundred and between the Hours of and by virtue of a Decree of the Sheriff of given under the Hand of the Clerk of Court at on the Day of at the Instance of *C.D.*, above designed, against *E.F.*, above designed, for Payment of the Sums of I passed with the Witnesses and Appraisers after named and designed to , and then and there, after demanding Payment of the Sums contained in the said Decree past due, and Payment not being made, I pointed the Effects above enumerated belonging to the said Debtor, and after making an Inventory or List thereof, and getting the same duly appraised on Oath at the several Values respectively above specified in the First Column, and amounting in all to [*here insert the Amount in Words*], and leaving a Copy of such Inventory or List and Appraisement with the said Debtor personally [*or as the Case may be*], I carried the said Effects to the of [*or as the Case may be*], and there betwixt the Hours of and and after public Notice of at least Hours, I sold the said Effects by public Roup to the highest Bidder, at the Prices above specified in the Second Column for each Lot respectively*, and amounting in all to [*here insert the Amount in Words*]; these Things were so done before and with *O.P.* and *Q.R.* [*design them*], Witnesses and Appraisers, in the Premises hereto with me subscribing.

J. T. Sheriff Officer.

O.P. Witness and Appraiser.

Q.R. Witness and Appraiser.

Reported to the Sheriff Clerk of the Shire of
the Day of by me,

J. T. Sheriff Officer.

* *If the Effects are not sold, the Tenor of the Report must be altered according to the State of the Fact; for instance, ["I exposed the said Goods and Effects to public Sale, " but no Person having offered the appraised Value, therefore I declared the same to " belong to the said C.D. at the said respective appraised Values, in Payment to that " Amount of the Sums in said Decree."]* *In case the Goods pointed, or Part of them, shall sell for more than the Sums in the Decree, and Expences of Pointing and Sale, say, ["I sold Part of the said Effects, viz. Lots 1, 2, and 3, by public Roup to the highest " Bidder at the Prices above specified in the Second Column for each of said Lots " respectively, and amounting in all to [here insert the Amount in Words]; and I " returned to the said Debtor the Sum of being the Overplus " of the Price, after Payment of the Sum decerned for past due, and the Sum " of being the Expences of Pointing and Sale, conform to the Act " of Parliament; and I also returned to the said Debtor the Effects specified in the " other Lots above enumerated."]*

SCHEDULE. (H.)

Counties.	Places at which Circuits are to be held.	Counties.	Places at which Circuits are to be held.
Aberdeen	Inverury - Four Times.	Haddington	North Berwick - Three Times.
	Tarland - Four Times.		Dunbar - Six Times.
	Turriff - Four Times.		Tranent - Four Times.
	Peterhead - Six Times.	Inverness	Kingussie - Three Times.
	Huntly - Four Times.		Fort Augustus - Three Times.
	Old Deer - Four Times.		Grantown - Three Times.
Argyle	Oban - Four Times.	Kincardine	Laurence Kirk - Three Times.
	Bowmore, Island of Isley } Four Times.		Bervie - Four Times.
	Dunoon - Four Times.		Durris - Three Times.
	Lochgilthead - Four Times.	Kirkcudbright	New Galloway - Three Times.
Ayr	Saltcoats - Four Times.		Maxwelltown - Four Times.
	Largs - Three Times.		Castle Douglas - Four Times.
	Kilmarnock - Twelve Times.		Creetown - Three Times.
	Beith - Three Times.	Lanark	Biggar - Four Times.
	Old Cumnock - Three Times.		Ardrie - Twelve Times.
	Girvan - Three Times.		Douglas - Three Times.
	Maybole - Four Times.	Linlithgow	Bathgate - Four Times.
Berwick	Lauder - Three Times.		Queensferry - Three Times.
	Dunse - Six Times.	Orkney	St. Margaret's Hope - Three Times.
	Coldstream - Six Times.		Stromness - Three Times.
	Ayton - Three Times.		Sunday - Three Times.
Banff	Cullen - Three Times.	Shetland	Burra-vœ - Two Times.
	Kath - Six Times.		Crieff - Four Times.
	Dufftown - Three Times.	Perth	Callender - Four Times.
Bute	Brodick in Arran - Four Times.		Kincardine (Tulliallan) - Four Times.
	Milport - Four Times.		Dunkeld - Four Times.
Caithness	Thurso - Eight Times.		Aberfeldy - Three Times.
	Libster - Six Times.		Blair Gowrie - Four Times.
Dumbarton	Kirkintullock - Four Times.		Cupar Angus - Four Times.
	Helensburgh - Four Times.	Renfrew	Lochwinnoch - Six Times.
Dumfries	Sanquhar - Four Times.		Polllokshaws - Six Times.
	Annan - Four Times.	Ross and Cromarty	Kincardine - Two Times.
	Langholm - Four Times.		Jeantown - Two Times.
	Moffat - Four Times.		Fortrose - Four Times.
	Lockerbie - Three Times.		Invergordon - Four Times.
Edinburgh	Mid Calder - Four Times.	Roxburgh	Melrose - Four Times.
	Dalkeith - Six Times.		Hawick - Six Times.
	Musselburgh - Six Times.		Kelso - Six Times.
	Stowe - Two Times.		Newcastleton - Three Times.
Elgin	Fochabers - Three Times.	Selkirk	Galashiels - Four Times.
	Grantown - Three Times.		Drymen - Four Times.
	Forres - Six Times.	Stirling	Lennox, Town of Campsie } Four Times.
Fife	Auchtermuchty - Four Times.		Balfron - Four Times.
	Newburgh - Four Times.	Sutherland	Lavig - Two Times.
	St. Andrew's - Four Times.		Tongue - Two Times.
	Colinsburgh - Four Times.		Port Gower - Two Times.
	Kirkaldy - Six Times.		Stranraer - Six Times.
Forfar	Brechin - Six Times.	Wigton	Whithorn - Four Times.
	Montrose - Six Times.		Newton Stewart - Four Times.
	Arbroath - Six Times.		
	Kirriemuir - Four Times.		

•
SCHEDULE (I.)

Notice.

A.B. [add Designation], residing _____ is the Depute Sheriff Clerk to whom Application for Summonses and every thing else necessary for the Sheriffs Circuit at this Place for Small Debt Causes must be made [*or, in case the Depute shall not be resident, say A.B. [add Designation and Place of Residence],* is the Depute Sheriff Clerk, who will officiate at _____ in the Sheriffs Small Debt Circuit Court, and *C.D. [add Designation],* residing at _____ is the Person who will issue Summonses or Complaints to be brought in such Court.]

Date

Place

•
SCHEDULE (K.)

Notice.

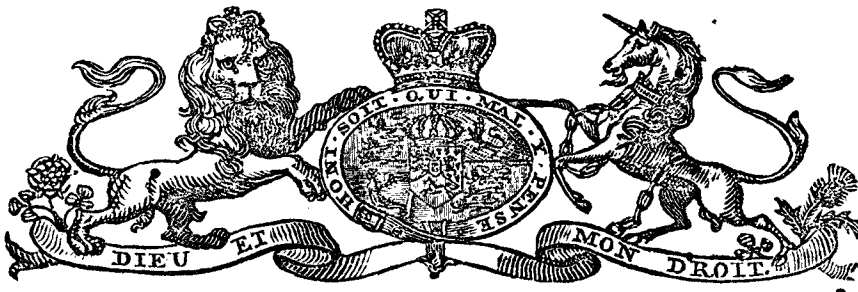
THE Sheriff will hold Circuit Courts for Small Debt Causes at _____ on the _____ Day of _____ at _____ of the _____ Clock, and on every [*fix the Time periodically, or if not, new Notice to be given*].

A.B. [add Designation and Residence] is the Clerk for this Place.

Date

Place

LONDON: Printed by GEORGE E. EYRE and ANDREW SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1839.



ANNO PRIMO

VICTORIÆ REGINÆ.

C A P. XLII.

An Act to continue until the Thirty-first Day of *December* One thousand eight hundred and thirty-eight, and from thence to the End of the then next Session of Parliament, an Act of the Ninth Year of His Majesty King *George* the Fourth, for the Administration of Justice in *New South Wales* and *Van Dieman's Land*.

[12th July 1837.]

WHEREAS an Act was passed in the Ninth Year of the Reign of His Majesty King *George* the Fourth, intituled *An Act to provide for the Administration of Justice in* 9 G. 4. c. 83. *New South Wales and Van Dieman's Land, and for the more effectual Government thereof; and for other Purposes relating thereto:* And whereas the said Act is near expiring, and it is expedient to continue the same: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present

Recited Act
continued till
31st Dec.
1838.

Parliament assembled, and by the Authority of the same, That the said Act shall be continued until the Thirty-first Day of *December* One thousand eight hundred and thirty-eight, and from thence to the End of the then next Session of Parliament.

LONDON: Printed by GEORGE EYRE and ANDREW SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1837.



ANNO PRIMO

VICTORIÆ REGINÆ.

C A P. XLIII.

An Act to amend the Laws for the Recovery of
Small Debts by Civil Bill in *Ireland*.

[12th *July* 1837.]

WHEREAS by an Act passed in the Seventh Year of the
Reign of His Majesty King *George* the Fourth, intituled
An Act to regulate the Service of the Process of the several 7 G. 4. c. 36.
Courts for the Recovery of Small Debts by Civil Bill in Ireland, it
was enacted, that at the several Sessions of the Peace in and for
the several Counties in *Ireland* which should be holden in the Month
of *October* next after the passing of the said Act each and every
of the Assistant Barristers appointed under the Authority of the
Act therein recited, or of any Act for amending the same, should
in manner therein enacted nominate and appoint such Number of
fit and proper Persons, being Householders residing in the prin-
cipal Market Towns within the said Counties, to be Officers for
the Service of Civil Bill Processes in the said County or Division
thereof, as should be specified and set forth in any such Warrant
respectively: And whereas Officers for the Service of Civil Bill
Processes have been appointed in the several Counties in *Ireland*
under the Authority of the said Act, but the Number thereof has
in many Counties been found to be insufficient for the effective
Service of Civil Bill Processes therein, and it has been doubted
whether any new Appointments can be made under the Authority of
the

Power to
Assistant
Barristers to
appoint Pro-
cess Servers
in addition
to those ap-
pointed under
7 G. 4. c. 36.

the said Act of a greater Number of such Officers at any Time after the Sessions of the Peace holden next after the passing of the said Act: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That at any Sessions of the Peace in and for the several Counties in *Ireland* or any Riding thereof which shall be holden after the passing of this Act, each and every of the Assistant Barristers appointed under the Acts for the Recovery of Small Debts by Civil Bill in *Ireland*, or any of them, to be Assistants to the Justices at such Sessions, may and shall, by Warrant or Warrants under the Hand and Seal of each such Assistant Barrister respectively, nominate and appoint such Number of fit and proper Persons, qualified as in the said Act of the Seventh Year of the Reign of His late Majesty is mentioned, as to the said Assistant Barrister shall from Time to Time appear to be necessary, to be Officers for the Service of Civil Bill Processes within such County, or within any Riding thereof, or within such Division of such County or Riding as shall be specified in any such Warrant; and such Officers shall be in addition to the Officers already appointed and acting in such County, Riding, or Division under the said recited Act of the Seventh Year of the Reign of King *George* the Fourth, and shall have the same Powers, Privileges, and Emoluments, and observe the several Rules and Regulations prescribed by the said Act respecting the Officers appointed under the Authority thereof, and shall be removeable in like Manner, and their Appointment shall be promulgated and made known in the Manner directed by the said Act.

In case of
forcible Re-
sistance to
serving the
Process, a
Copy thereof
may be posted
on the Court
House and
on the Post-
ing Place in
the nearest
Market
Town.

II. And be it enacted, That in any Case when it shall appear to the Assistant Barrister, by Examination on Oath in open Court at any Court of General or Quarter Sessions or any Adjournment thereof, that any Officer appointed to serve the Process of the said Civil Bill Court has been prevented by forcible Resistance or by reasonable Apprehension of personal Injury from effecting good Service of any Process of the said Court, it shall and may be lawful to and for such Assistant Barrister to direct, by an Order to be signed by him, and entered in the Book of the Clerk of the Peace, that posting a Copy of such Process on the Court House in which the Court may be then sitting, and on the usual Place for posting Notices in the nearest Market Town to the Residence of the Defendant named in such Process, or of One of the Defendants if there be more than One, at least One Calendar Month before the first Day of the next Sessions to be holden for the same Division of the County or Riding, shall be deemed good Service of such Process; and at foot of every such Copy shall be affixed a Notice that the same is so posted by Order of the said Assistant Barrister, and that such posting will be held good Service thereof; and upon its being proved on Oath to the Satisfaction of the Assistant Barrister at the next Sessions holden for the same Division at the first Town in which such Sessions shall be holden that such Copy and Notice have been so duly posted on some conspicuous Part of the said Court House, it shall be lawful for such Assistant Barrister and he is hereby authorized and required to proceed to hear

and determine such Civil Bill in all respects as if the Process thereon had been personally served on the Defendant or Defendants named therein.

III. And be it enacted, That so much and such Parts of an Act passed in the last Session of Parliament, intituled *An Act to extend the Jurisdiction and regulate the Proceedings of the Civil Bill Courts in Ireland*, as relate to the Appointment of Bailiffs for the Execution of the Decrees or Orders of the Civil Bill Court for the County, and as provide for the Payment of any Fee or Poundage to such Bailiff, and as enact that the Sum or Fee of One Shilling payable to Sheriffs for special Warrants shall be no longer payable, and as repeals the Act of the Thirty-sixth Year of the Reign of King George the Third therein mentioned, so far as respects the Payment of the said Sum or Fee of One Shilling, shall be and the same are hereby repealed, and the Appointments of all Bailiffs appointed under the said recited Act of the last Session shall henceforward cease and determine.

Repeal of
Parts of Sec-
tions 41, 42,
43, and 44 of
6 & 7 W. 4.
c. 75.

IV. And be it enacted, That all Decrees and Orders of the said Civil Bill Court which shall have been signed before the passing of this Act, and remaining unexecuted at the Time of the passing hereof, and all Decrees and Orders hereafter to be signed, shall be executed by the Sheriffs of the several Counties in *Ireland*, or by Persons authorized by them by special Warrant, as if the said Act of the last Session of Parliament had not been passed, and as if the said Decrees or Orders had been directed to such Sheriffs: Provided always, that Decrees for delivering Possession made by an Assistant Barrister or Judge on Appeal shall be executed by the Sheriff or his Deputy in Person, in manner and within the Time and for the Fee in the said Act of the last Session directed in that Behalf; and all Decrees and Orders of the said Court shall henceforward be directed to the Sheriffs of the several Counties in *Ireland* as before the passing of the said Act.

Decrees now
unexecuted
to be ex-
ecuted by the
Sheriff.

V. And be it enacted, That whenever it shall be certified by the Assistant Barrister of any County to the Grand Jury of such County that an Interpreter is necessary at the Quarter Sessions for such County, it shall and may be lawful for the Grand Jury to present, without any previous Application at Sessions, to be levied off such County, any Sum not exceeding Fifteen Pounds at each Assizes as a Salary or Payment for such Interpreter.

Salary of
Interpreter.

VI. And be it enacted, That it shall be lawful for such Assistant Barrister to appoint either one Interpreter for the whole of such County or separate Interpreters for each District in which Sessions shall be holden, at his Discretion, and to direct the Salary to be presented as aforesaid to be paid among such Interpreters, if more than One shall be appointed, in such Manner as he shall think fit; and that upon a Certificate signed by such Assistant Barrister, specifying the Amount of such Payment, being produced to the Treasurer of such County, it shall be lawful for such Treasurer to pay to such Interpreter or Interpreters after every Assizes the Amount of the Payment mentioned in such Certificate, not exceeding in the whole the Sum presented by the Grand Jury for that Purpose.

Assistant
Barrister
to appoint
Interpreter or
Interpreters.

VII. And

Assistant
Barrister
may remove
Interpreter.

VII. And be it enacted, That each and every such Interpreter may be removed at the Will and Pleasure of the Assistant Barrister of such County for the Time being, and that any other Person or Persons may be appointed in his Place by such Assistant Barrister.

Definition of
"Assistant
Barrister."

VIII. And be it enacted, That the Term "Assistant Barrister" in this Act shall be construed to include the Chairman of the Sessions for the County of *Dublin* and also the Recorder of the City of *Dublin*.

LONDON: Printed by GEORGE EYRE and ANDREW SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1837.



ANNO PRIMO

VICTORIÆ REGINÆ.

C A P. XLIV.

An Act to provide for the Costs of Prosecutions for concealing the Birth of Children by secret burying or otherwise disposing of their Dead Bodies.
[12th July 1837.]

WHEREAS by an Act passed in the Ninth Year of the Reign of His late Majesty King George the Fourth, intituled *An Act for consolidating and amending the Statutes in England relative to Offences against the Person*, it is amongst other things enacted, that if any Woman shall be delivered of a Child, and shall, by secret burying or otherwise disposing of the Dead Body of the said Child, endeavour to conceal the Birth thereof, every such Offender shall be guilty of a Misdemeanor: And whereas no Provision is made by Law for Payment of the Costs of Prosecutions for such Misdemeanors: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That where any Prosecutor or other Person shall appear before any Court, on Recognizance or Subpoena, to prosecute or give Evidence against any Person upon any Charge of having so endeavoured to conceal the Birth of any Child, every such Court is hereby authorized and empowered, whether any Bill of Indictment for such Charge shall or shall not be actually preferred, to order Payment of the Costs and Expences of the Prosecutor and Witnesses for the Prosecution, together with a Compensation for their

Courts empowered to order Payment of Prosecutors and Witnesses in Indictments for concealing the Birth of any Child.

9 G. 4. c. 31.

their Trouble and Loss of Time, in the same Manner as Courts are now by Law authorized and empowered to order the same in Cases of Prosecutions for Felony.

Orders for
Payment of
Money in
such Cases
to be the
same as
Orders for
Payment of
Costs in
Cases of
Felony.

II. And be it enacted, That every Order for the Payment of any Money by virtue of this Act shall be made out and delivered by the proper Officer of the Court unto such Prosecutor or other Person upon the same Terms and in the same Manner in all respects as Orders for the Payment of Costs are now made in Cases of Felony; and the Treasurer or other Person, when any such Order shall be made, shall be and he is hereby required, upon Sight of such Order, forthwith to pay to the Person therein named, or to any one duly authorized in that Behalf, the Money in such Order mentioned; and such Treasurer or other Person shall be allowed the same in passing his Accounts.

Act may be
altered.

III. And be it enacted, That this Act may be altered or repealed by any other Act in this present Session of Parliament.

LONDON: Printed by GEORGE EYRE and ANDREW SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1837.



ANNO PRIMO

VICTORIÆ REGINÆ.

C A P. XLV.

An Act to alter the Mode of giving Notices for the holding of Vestries, of making Proclamations in Cases of Outlawry, and of giving Notices on *Sundays* with respect to various Matters.

[12th July 1837.]

WHEREAS by an Act of Parliament passed in the Fifty-eighth Year of the Reign of His Majesty King *George* the Third, intituled *An Act for the Regulation of Parish Vestries*, it is enacted, that no Vestry or Meeting of the Inhabitants in Vestry of or for any Parish shall be holden until public Notice shall have been given of such Vestry, and of the Place and Hour of holding the same, and the special Purpose thereof, Three Days at the least before the Day to be appointed for holding such Vestry, by the Publication of such Notice in the Parish Church or Chapel on some *Sunday* during or immediately after Divine Service, and by affixing the same, fairly written or printed, on the principal Door of such Church or Chapel: And whereas by an Act passed in the Thirty-first Year of Queen *Elizabeth* it is enacted, that before any Outlawry shall be had and pronounced Proclamation shall be made at the Door of the Church or Chapel of the Town or Parish where the Defendant shall be dwelling immediately after Divine Service on a *Sunday*: And whereas by divers Acts relative to the assessing and collecting of Highway and Poor Rates and Land Tax, and other Matters, it is directed or required that public Notice shall be given with reference

58 G. 3. c. 69.

So much of
the first re-
cited Act as
directs Pub-
lication of
Notices re-
pealed.

Notices not
to be given
in Churches
during Di-
vine Service,
&c.

to certain Proceedings relating thereto respectively in the Parish Churches or Chapels during Divine Service: And whereas by ancient Custom Notice is usually given in Churches during Divine Service of the Times appointed for holding Courts Leet, Courts Baron, and Customary Courts: And whereas it is expedient that such Mode of giving Notices should be altered: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act so much of the said first-recited Act as directs the Publication of such Notices to be made in the Parish Church or Chapel on some *Sunday* during or immediately after Divine Service shall be and the same is hereby repealed; and that from and after the First Day of *January* next no Proclamation or other public Notice for a Vestry Meeting or any other Matter shall be made or given in any Church or Chapel during or after Divine Service, or at the Door of any Church or Chapel at the Conclusion of Divine Service.

Notices
heretofore
usually given
during or
after Divine
Service, &c.
to be affixed
to the
Church
Doors.

II. And be it further enacted, That from and after the First Day of *January* next all Proclamations or Notices, which under or by virtue of any Law or Statute, or by Custom or otherwise, have been heretofore made or given in Churches or Chapels during or after Divine Service, shall be reduced into Writing, and Copies thereof either in Writing or in Print, or partly in Writing and partly in Print, shall previously to the Commencement of Divine Service on the several Days on which such Proclamations or Notices have heretofore been made or given in the Church or Chapel of any Parish or Place, or at the Door of any Church or Chapel, be affixed on or near to the Doors of all the Churches and Chapels within such Parish or Place; and such Notices when so affixed shall be in lieu of and as a Substitution for the several Proclamations and Notices so heretofore given as aforesaid, and shall be good, valid, and effectual to all Intents and Purposes whatsoever.

Notices for
holding Ves-
tries to be
signed as
herein di-
rected.

III. And be it further enacted, That no such Notice of holding a Vestry shall be affixed on the principal Door of such Church or Chapel unless the same shall previously have been signed by a Churchwarden of the Church or Chapel, or by the Rector, Vicar, or Curate of such Parish, or by an Overseer of the Poor of such Parish; but that every such Notice so signed shall be affixed on or near to the principal Door of such Church or Chapel.

Decrees, &c.
of Ecclesias-
tical Courts
not to be
read in
Churches.

IV. And be it further enacted, That from and after the First Day of *January* next no Decree relating to a Faculty, nor any other Decree, Citation, or Proceeding whatsoever in any Ecclesiastical Court, shall be read or published in any Church or Chapel during or immediately after Divine Service.

Act not to
extend to
Notices
purely eccle-
siastical.

V. Provided always, and be it further enacted, That nothing in this Act shall extend or be construed to extend to the Publication of Banns, nor to Notice of the Celebration of Divine Service or of Sermons, nor to restrain the Curate, in pursuance of the Rules in the

Book of Common Prayer, from declaring unto the People what Holy Days or Fasting Days are in the Week following to be observed, nor to restrain the Minister from proclaiming or publishing what is prescribed by the Rules of the Book of Common Prayer, or enjoined by the Queen or by the Ordinary of the Place.

VI. And be it further enacted, That all the Provisions of this Act shall extend and be construed to extend to the Town of *Berwick-upon-Tweed*, the *Iste of Man*, and the Islands of *Guernsey*, *Jersey*, *Alderney*, and *Sark*. Extension of Act.

LONDON: Printed by GEORGE EYRE and ANDREW SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1837.



ANNO PRIMO

VICTORIÆ REGINÆ.

C A P. XLVI.

An Act to vest the Rolls Estate in Her Majesty, and
to provide for the future Payment of the Salary of
the Master of the Rolls and the Expences of the
Rolls Chapel. [2th *July* 1837.]

WHEREAS the Mansion House, Chapel, Messuages, and
Estates, commonly called the Rolls Estates, which are
situate in and near *Chancery Lane* in the County of
Middlesex, and were formerly the Site of the House or Hospital of
Converts or converted Jews, and the Hereditaments thereto belonging,
were granted by King *Edward* the Third by Letters Patent bearing
Date the Eleventh Day of *April*, in the Fifty-first Year of His Reign,
to remain and continue for ever to the Clerk or Keeper of the Rolls
of Chancery for the Time being, and to be annexed to the said Office
for ever; and in the Letters Patent by which the present Master of
the Rolls has been appointed, and in every of the Letters Patent by
which several preceding Masters of the Rolls respectively have been
appointed, there have been thereby granted by His late Majesty and
His Royal Predecessors respectively to such Master of the Rolls
respectively the Custody of the House or Hospital of the Converts
for the Habitation of the said Keeper or Master of the Rolls, together
with all Edifices, Yards, Gardens, and Orchards to the same House or
Hospital in anywise belonging or appertaining, to hold the same
5 L (together

(together with such Office of Keeper or Master of the Rolls) unto such Person respectively, during his Life, with all Rights and Appurtenances whatsoever to the said Office or to the House or Hospital aforesaid belonging or appertaining, the Wages, Fees, Rewards, Commodities, Emoluments, and Profits whatsoever anciently in anywise accustomed and due to the same Office, to be received yearly, together with all and all Manner of other Rights, Liberties, Pre-eminences, Profits, Emoluments, Mansions, Places, and Appurtenances whatsoever in anywise belonging or appertaining to the Office aforesaid, in as ample Manner and Form as any other Keeper or Master of the Rolls or of the said House or Hospital was or were accustomed to receive and enjoy the same: And whereas the said Rolls Estates consist of the Mansion House, with the Court-yard, Garden, Stable, Coach-house, and other Houses and Buildings thereunto belonging, the Chapel called the Rolls Chapel, and several Messuages and Hereditaments, and a Particular or Rental of the said Estates is annexed by way of Schedule to this Act: And whereas by virtue of an Act passed in the Twelfth Year of King Charles the Second, intituled

12 Car. 2.
c. 36.

An Act empowering the Master of the Rolls for the Time being to make Leases for Years in order to new-build the old Houses belonging to the Rolls, and also an Act passed in the Seventeenth Year of the Reign of King George the Third, intituled

17 G. 3. c. 59.

An Act to repeal an Act made in the Twelfth Year of King Charles the Second, intituled 'The Master of the Rolls empowered to make Leases for Years in order to new-build the old Houses belonging to the Rolls,' and for the better regulating the Method of granting Leases of the said Rolls Estate, and for making Compensation to the 'Earl of Macclesfield and Sir Thomas Sewell for their beneficial Rights and Interests in certain Leases made of the Rolls Estate, and for regulating the Method of making Leases of the said Estate for the future, the Master of the Rolls for the Time being has from Time to Time granted Leases of the said Messuages and Premises (the said Chapel of the Rolls, and the said Mansion House, Court-yard, Garden, Stable, Coach-house, and other Outhouses and Buildings fit for the Habitation and Use of the Master of the Rolls, only excepted): And whereas by an Act passed in the First Year of the Reign of His Majesty King George the Fourth, intituled

1 G. 4. c. 107.

An Act for appropriating to the Use of the Master of the Rolls for the Time being the Rents of the Rolls Estate, and the Dividends of the Funds in the Court of Chancery arising from the surplus Rents of that Estate, it was enacted, that the Sum of Four thousand and eighty-one Pounds Four Shillings and Four-pence, Three *per Centum* Bank Annuities, purchased in pursuance of the said Act of the Seventeenth Year of the Reign of King George the Third, with the Surplus of the Rents and Profits of the said Rolls Estates, and then standing in the Name of the Accountant General of the Court of Chancery to the Account "The Account of the Rolls Estate," should be and remain in the said Court to the said Account called "The Account of the Rolls Estate," and should be and form a Fund for the Purpose (if necessary) of repairing, supporting, and rebuilding the Houses and Premises called the Rolls Estate, and keeping the same insured from Loss or Damage by Fire, (except the said Chapel and Mansion House, with their Appurtenances,) and be sold, applied, and disposed of for those Purposes

or any of them by Order of the Lord Chancellor, Lord Keeper, or Lords Commissioners of the Great Seal from Time to Time as there might be Occasion, and that the Dividends, Interest, and annual Produce thereof then due and thereafter to accrue due might from Time to Time be paid by the said Accountant General without any Order or Draft for that Purpose to the Master of the Rolls for the Time being, subject nevertheless to any Order of the Court, as therein and herein-before is mentioned; and by the same Act it was further enacted, that the Master of the Rolls for the Time being should after the passing of the said Act have and be entitled to receive the whole of the Rents and Profits of the said Estate called "The Rolls Estate," after providing for the keeping in repair and properly supporting and rebuilding and insuring from Fire the said Houses and Premises to and for his own Use and Benefit: And whereas the said Sum of Four thousand and eighty-one Pounds Four Shillings and Four-pence, Three *per Centum* Bank Annuities, remains standing in the Name of the said Accountant General in the Account aforesaid, and since the passing of the said herein-before in part recited Act of the First Year of the Reign of King *George* the Fourth the Dividends and annual Produce thereof, amounting to the annual Sum of One hundred and twenty-two Pounds Eight Shillings and Eight-pence, and also the Rents, Issues, and Profits of the Rolls Estate (which on an Average of the last Two Years amount to the annual Sum of Two thousand one hundred and nineteen Pounds Sixteen Shillings), have been received by the Master of the Rolls for the Time being as Part of the Emoluments of his Office: And whereas the Court in which the Master of the Rolls is accustomed to sit as one of the Judges of the Court of Chancery out of Term, together with certain Rooms adjacent thereto necessary for the Administration of Justice there, form Part of the said Mansion House: And whereas the other Part of the said Mansion House and the Garden and Appurtenances thereto belonging are not at present used by or for the Accommodation of the Master of the Rolls, and some of the Rooms in the said Mansion House are occupied by Records belonging to Her Majesty's Court of Queen's Bench: And whereas, in pursuance of an Act passed in the Session of Parliament held in the Sixth and Seventh Years of the Reign of His late Majesty, intituled *An Act to enable the Master of the Rolls to demise* 6 & 7 W. 4. *Part of the Rolls Estate to the Society of Judges and Serjeants,* c 49. the Master of the Rolls, with the Consent and Approbation of Three of the Commissioners of Her Majesty's Treasury, hath granted a Lease of Part of the Garden belonging to the said Mansion House to the said Society of Judges and Serjeants at Law for a Term of Ninety-nine Years at a Peppercorn Rent, for the Purpose of building Chambers for the Judges thereon: And whereas by an Act passed in the Fiftieth Year of the Reign of King *George* the Third, intituled *An Act for building certain Offices for the Examiners, Cursitors,* 50G.3.c.164. *Clerks of the Crown, and Clerks of the Petty Bag of the High Court* s. 2. *of Chancery, and for making certain Regulations in the Examiner's Office of the said Court, and for making Provision for such of the Examiners, Deputy Examiners, and Clerks as from Length of Service or from Age or Infirmary are or shall be incapacitated from the due Execution of their Offices, and for making Provision for other Officers of the* said

*said Court, and for making other Payments in respect of the said Officers, the Freehold of the Buildings in the Rolls Yard, Chancery Lane, where the Business of the Office of Examiners, and also of the Offices of the Clerk of the Crown and Clerk of the Petty Bag, is now carried on, with its Rights, Members, and Appurtenances, and all other Premises, if any, which should thereafter be purchased for the Purposes of the said Offices, together with all Buildings then or thereafter to be erected thereon, were vested in the Master of the Rolls for the Time being for the Use and for the Purposes of the said Offices, and subject to such Rules and Regulations respecting the Use and Occupation thereof, and of the Rooms and Chambers thereto belonging or therewith occupied, as the Court of Chancery shall from Time to Time order and direct: And whereas several of the most valuable Records of the Chancery of England are deposited in Presses in Closets in the Inside of the said Rolls Chapel, and on Shelves and Closets in the Roof thereof: And whereas the Two Chaplains of the Master of the Rolls have respectively been appointed from Time to Time by the Master of the Rolls for the Time being, and have officiated as Preacher and Reader in the Performance of Divine Worship in the said Chapel: And whereas an ancient yearly Payment or Sum of Four Pounds, chargeable upon and issuing out of the Rectory of Saint Dunstan in the West in the City of London and the Suburbs of the said City, is payable to the Master of the Rolls for the Time being; and by an Act passed in the First Year of the Reign of His said Majesty King George the Fourth, intituled *An Act for uniting the Rectory and Vicarage of the Parish of Saint Dunstan in the West in the City of London and the Suburbs of the said City, and for securing a certain annual Payment to the Rector of the said Parish in lieu of Tithes*, it was enacted, that the Rector of the said Parish shall be and remain subject to the Payment of and shall well and truly pay the said yearly Payment or Sum of Four Pounds to the Master of the Rolls for the Time being on the Twenty-ninth Day of September in each Year: And whereas the said Preacher hath also been accustomed to receive from the Masters, Six Clerks, Registrars, and other Officers of the said Court of Chancery who are considered to be entitled to Seats in the said Chapel certain Fees, amounting to the yearly Sum of Forty-nine Pounds Two Shillings and Eight-pence or thereabouts; and the said Reader has received the Rents at which Pews in the said Chapel have been let to Persons not entitled to Seats therein, and Sums have been paid out of the Rents and Profits of the Rolls Estate to the said Preacher and Reader to make up to each of them, together with the said annual Sums, Fees, and Rents received by them respectively, the annual Sum of One hundred Pounds; and there has also been paid out of the Rents and Profits of the said Rolls Estate the annual Sum of Ten Pounds to the Clerk attending the Performance of Divine Service at the said Chapel, and the annual Sum of Nine Pounds or thereabouts to a Laundress for keeping the said Chapel clean: And whereas certain ancient annual Payments, amounting to the yearly Sum of Forty-five Pounds Eighteen Shillings and Seven-pence, are payable to the Master of the Rolls for the Time being by the Keeper and Clerk of the Hanaper in Chancery out of the Income and Revenue of his Office: And whereas by an Act passed in the Twenty-third Year of the Reign*

of

of King George the Second, intituled *An Act for making good a* 23 G. 2. c. 25.
Deficiency upon the Revenue of the Office of Keeper or Clerk of the s. 4.
Hanaper, and for preventing any future Deficiency therein to answer
the Public Services provided for out of the same, and for augmenting
the Income of the Office of the Master or Keeper of the Rolls, it was
 enacted, that out of the Duties granted by the said Act, and thereby
 directed to be paid into the Receipt of His Majesty's Exchequer at
Westminster, there should be issued and paid unto the Keeper or
 Clerk of the Hanaper in Chancery for the Time being, or his Deputy,
 a yearly Sum not exceeding the Sum of Three thousand Pounds; and
 that the said yearly Sum of Three thousand Pounds, and also the yearly
 Interest, Dividends, and Proceeds which should arise or be produced
 from the surplus Cash therein mentioned, should be issued, paid, applied,
 and accounted for, together with and as Part of the ordinary Income
 and Revenue of the Hanaper Office, in such and the same Manner as
 the Income and Revenue of the said Office had from Time to Time been
 issued, paid, applied, and accounted for, and also the Payment of
 the yearly Sum of One thousand two hundred Pounds to the Master
 or Keeper of the Rolls for the Time being: And whereas out of the
 said annual Sum of One thousand two hundred Pounds paid by the
 Clerk of the Hanaper as aforesaid in pursuance of the said last-men-
 tioned Act, there are now paid by the Master of the Rolls for Land-
 tax Duty and Stamps Sums of Money amounting to the annual Sum
 of Three hundred and thirty-one Pounds One Shilling and Sixpence,
 and also a Fee of Two Guineas to the Clerk of the Hanaper, by
 which Payment the Amount of Salary or pecuniary Profit received
 by the Master of the Rolls in respect of the said Sum of One thousand
 two hundred Pounds is reduced to the annual Sum of Eight hundred
 and sixty-six Pounds Sixteen Shillings and Sixpence: And whereas
 by an Act passed in the Sixth Year of the Reign of His Majesty King
 George the Fourth, intituled *An Act to provide for the augmenting* 6 G. 4 c. 84.
the Salaries of the Master of the Rolls and the Vice-Chancellor of s. 2.
England, the Chief Baron of the Court of Exchequer, and the Puisne
Judges and Barons of the Courts in Westminster Hall, and to enable
His Majesty to grant an Annuity to such Vice-Chancellor, and addi-
tional Annuities to such Master of the Rolls, Chief Baron, and
Puisne Judges and Barons on their Resignation of their respective
Offices, it was enacted, that from and after the passing of the said
 Act there should be issued and paid and payable out of and
 charged and chargeable upon the Consolidated Fund of the United
 Kingdom of Great Britain and Ireland (after paying or reserving
 sufficient to pay all such Sum and Sums of Money as had been
 directed by any former Act or Acts of Parliament to be paid out
 of the same, but with Preference to all other Payments which should
 or might thereafter be charged upon or payable out of the same Fund,)
 to the several Persons therein-after mentioned, as an Augmentation of
 their respective Salaries and pecuniary Profits belonging to the said
 respective Offices, the several annual Sums therein-after respectively
 mentioned; (that is to say,) to the Master of the Rolls of the Court of
 Chancery in *England* such Sum as with the Sums then payable to the
 said Master of the Rolls in pursuance of the said Act of the Twenty-
 third Year of the Reign of His said Majesty King George the Second,
 and in pursuance of the said Act of the First Year of the Reign of His

said Majesty King *George* the Fourth, and with the other Fees and Emoluments of the said Office, would make up the Salary of the said Office to the annual Sum of Seven thousand Pounds, and to other Persons therein named the several other annual Sums therein mentioned: And whereas the Emoluments of the said Office of Master of the Rolls referred to in the said last-mentioned Act, besides or in addition to the said Interest, Dividends, and annual Produce of the said Sum of Four thousand and eighty-one Pounds Four Shillings and Four-pence, Three Pounds *per Centum* Bank Annuities, and the Rents and Profits of the said Rolls Estates (after making such Payments thereof as aforesaid), and the said ancient Payments made by the said Clerk of the Hanaper, amounting to the yearly Sum of Forty-five Pounds Eighteen Shillings and Seven-pence, and the said yearly Sum of One thousand two hundred Pounds payable in pursuance of the said Act of the Twenty-third Year of the Reign of King *George* the Second (after making such Payments thereof as aforesaid), consist of Fees and Parts of Fees, and small ancient annual Payments which are received or payable by the Registrars of the Court of Chancery, the Under Secretary of the Master of the Rolls, the Clerk of the Enrolments, the said Clerk of the Hanaper, the Clerks of the Petty Bag, the Clerk of the Rolls Chapel, and other Persons: And whereas if the said Rolls Estates and the other Offices and Estates now vested in the Master of the Rolls for the Time being were vested in Her Majesty, and placed under the Management of the Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, the same, after making proper Accommodation and Provisions for the Court of the Master of the Rolls, and for the Administration of Justice in such Court, and for the Custody and Deposit of the Records and Papers now placed in the Rolls Chapel, and the Performance of Divine Worship in the said Chapel, and for the Transaction of the Business of the Offices which are now in the said *Rolls Yard*, and after appropriating such Part or Parts thereof (if any) as may be thought expedient for the Purposes of any of the Offices connected with the Courts of Chancery or the Courts of Law, might be made more available for the public Service, or more profitable than under the Management of the Master of the Rolls for the Time being, or the Receiver appointed by him: And whereas, in pursuance of the Provisions of the said Act of the Twenty-third Year of the Reign of King *George* the Second, there is now paid out of Duties which form Part of the said Consolidated Fund to the Clerk of the Hanaper an annual Sum, to be paid over by him to the Master of the Rolls, who out of the same has to pay Taxes and Duties, which form Part of the said Consolidated Fund, and then by virtue of the said first-recited Act receives back from the said Consolidated Fund the Amount of such Taxes and Duties, and any other Deficiency in the Amount of his Salary: And whereas the several complicated Transactions aforesaid would be rendered unnecessary if the said ancient Payments, amounting to the yearly Sum of Forty-five Pounds Eighteen Shillings and Seven-pence and the said yearly Sum of One thousand two hundred Pounds, were no longer to be paid by the Clerk of the Hanaper to the Master of the Rolls, or accounted for as Part of his annual Salary: And whereas the Fees payable to the Master of the Rolls by the Registrars of the Court of Chan-

cery consist of the Sum of Six Shillings and Eight-pence out of the Fees received by them from the Suitors upon every Decree or Dismission, which are Taxes on the Administration of Justice, and the same could not, it is apprehended, be abolished by virtue of the Act passed in the Third and Fourth Years of the Reign of His late Majesty, intituled *An Act for the Regulation of the Proceedings and Practice of certain Officers of the High Court of Chancery in England*, because the same had been made to contribute towards the Payment of the Salary of the Master of the Rolls: And whereas the only Fees payable to the Master of the Rolls which are received by his Under Secretary are the Sum of Five Pounds Seven Shillings and Sixpence upon the Admission of every Sworn Clerk, and a Sum of Five Shillings for allowing a Marshalsea Court Writ or Warrant to be executed within the Liberty of the Rolls: And whereas it is expedient that the said Fee or Sum of Six Shillings and Eight-pence payable to the Master of the Rolls upon every Decree or Dismission, and the said Fees payable to the Master of the Rolls on the Admission of Clerks in Court, and on Leave to execute Marshalsea Court Writs within the Liberty of the Rolls, should be abolished: And whereas it will be more convenient, and more consistent with the Honour and Dignity of the Master of the Rolls, that the said full annual Sum of Seven thousand Pounds should be received by him wholly out of the said Consolidated Fund, and that the said Fees and Payments now received by him, and other the Emoluments of his Office, should be paid into the Receipt of Her Majesty's Exchequer in ease of the public Revenue, than that he should receive such Fees, Payments, and Emoluments, and have to account for the same as Parts of his Salary: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said Act of the Seventeenth Year of the Reign of King *George* the Third (except so far as respects any Leases made in pursuance of the Power therein contained), and also the said first-mentioned Act of the First Year of the Reign of King of *George* the Fourth, shall be and the same are hereby repealed: Provided always, that the Repeal of the said Acts shall not revive any Act or Part of an Act thereby respectively repealed.

The Acts
17 G. 3. c. 59,
and 1 G. 4.
c. 107. re-
pealed.

II. And be it enacted, That from and after the passing of this Act the said Mansion House, with the Court-yard, Garden, Stable, Coach-house, and other Houses and Buildings thereunto belonging, and the said Chapel and several Messuages and Hereditaments adjoining or near thereto, commonly called the Rolls Estate, or the House or Hospital of the Converts, of which a Particular or Rental is contained in the Schedule to this Act, and the Rents which have accrued or shall accrue or become due for the same from the Fifth Day of *January* last, and all other Rents and Hereditaments which are now vested in the Master of the Rolls by virtue of the Letters Patent by which he was appointed Master of the Rolls, (other than and except the said Office of Keeper or Master of the Rolls, Books, Writs, and Records of the Chancery of *England*, and subject to such Leases of Parts of the Hereditaments which are now subsisting and have been granted

Rolls Estate
to be vested
in the Crown.

granted in pursuance of the Powers of Acts of Parliament hereinbefore mentioned or any of them,) and also the said Offices in the said Rolls Yard for the Examiners, Cursitors, Clerks of the Crown and Clerks of the Petty Bag of the High Court of Chancery, and all other Messuages, Lands, and Hereditaments which by virtue of any Act or Acts of Parliament are vested in the Master of the Rolls for the Time being, with their Appurtenances, shall be and the same are hereby vested in Her Majesty as Part of the Possessions and Land Revenues of Her Majesty, Her Heirs and Successors, in right of the Crown, and shall no longer be granted as heretofore to the Master of the Rolls for the Time being, or annexed to the said Office, and shall be within the ordering and Survey of the Court of Exchequer in *England*, and subject to the Provisoos, Powers, and Authorities contained in the Act passed in the Tenth Year of the Reign of His said Majesty King *George* the Fourth, intituled

10 G. 4. c. 50. *An Act to consolidate and amend the Laws relating to the Management and Improvement of His Majesty's Woods, Forests, Parks, and Chases, of the Land Revenue of the Crown within the Survey of the Exchequer in England, and of the Land Revenue of the Crown in Ireland, and for extending certain Provisions relating to the same to the Isles of Man and Alderney, and in the Act passed in the Second Year of the Reign of His late Majesty, intituled An Act for uniting the Office of the Surveyor General of His Majesty's Works and Public Buildings with the Office of the Commissioners of His Majesty's Woods, Forests, and Land Revenues, and for other Purposes relating to the Land Revenues, and to all such other Provisions, Powers, and Authorities in every respect as the other Possessions and Land Revenues of the Crown within the ordering and Survey of the said Court of Exchequer are subject to.*

Provision
for the Con-
tinuance of
the Rolls
Court Chapel
and Offices.

III. Provided always, and be it enacted, That there shall be continued or provided and maintained the said Court of the Master of the Rolls as one of the Judges of the Court of Chancery, and the Rooms adjacent thereto, and now used for the Administration of Justice, or some other convenient Court and Rooms for the same Purposes in the said Mansion House, or upon or near the Site thereof, or in some other convenient Place, and a Chapel called the Rolls Chapel, for the Performance of Divine Worship in the said present Chapel, or upon or near the Site thereof, and also Offices to be used and occupied by the said Examiners, Clerks of the Crown and Clerks of the Petty Bag of the High Court of Chancery, for the Use and Purposes of their respective Offices in the said Offices now in the *Rolls Yard*, or upon or near the Sites thereof, or in some other convenient Places.

Commission-
ers of Woods,
by Direction
of the Trea-
sury may
appropriate
any Part of
the Rolls Es-
tate for the
Purposes of

IV. Provided always, and be it enacted, That it shall be lawful for the said Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, by the Direction of the Lord High Treasurer or any Three of the Commissioners of Her Majesty's Treasury for the Time being, at any Time or Times hereafter to appropriate any Part or Parts which they may think proper of the Messuages, Buildings, Ground, and Hereditaments now called the Rolls Estate to or for the Purposes of any of the Courts of any of the Judges

Judges of the Court of Chancery, or of any Courts, of Law or Equity or Bankruptcy, or of any Office or Offices belonging to or connected with the Business of any such Court or Courts, or for a Depository of the Records of the Court of Chancery, which are now accustomed to be kept in the said Rolls Chapel, or of any other Records of any other of Her Majesty's Courts of Law or Equity, or other Public Records, or for any other public Purpose connected with the Administration of Justice, or the Custody or Preservation of Records or Documents, and for such Purpose or Purposes or any of them to cause any Building or Buildings thereon to be altered or pulled down, or any Building or Buildings to be erected thereon.

V. And be it further enacted, That the Commissioners for the Time being of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings shall cause a separate and distinct Account to be kept in the Books of their Office of the Rents and Profits and other Monies received in respect of the Hereditaments vested in Her Majesty by virtue of this Act, and of the Payment and Application of the same, and after deducting thereout all the Expences incidental to the Collection and Management of the same Rents, Profits, and Hereditaments shall yearly and every Year pay over the Residue of the said Rents and Profits and other Monies to be received as aforesaid into the Receipt of Her Majesty's Exchequer at *Westminster* to the Account of the Consolidated Fund.

Separate Account to be kept of Monies received and paid under this Act.

VI. And be it enacted, That the said Accountant General of the Court of Chancery shall and he is hereby required, by Order or Orders of the Master of the Rolls to be made in a summary Way upon the Petition of any Person who shall be appointed by the Lord High Treasurer or any Three of the Commissioners of Her Majesty's Treasury for the Time being by Writing under his or their Hands to receive the Monies to be produced by the Sale of the said Sum of Four thousand and eighty-one Pounds Four Shillings and Four-pence, Three *per Centum* Bank Annuities, now standing in the Name of the said Accountant General, "The Account of the Rolls Estate" as aforesaid, after Payment of such Costs as herein-after are mentioned, to sell the said Sum of Four thousand and eighty-one Pounds Four Shillings and Four-pence, Three *per Centum* Bank Annuities, and out of the Monies to be produced by Sale thereof to pay to the Person or Persons named in such Order or Orders to receive the same all the Costs and Charges of procuring and passing this Act, and of all Proceedings had or to be had in pursuance thereof, which shall be directed to be paid thereout by such Lord High Treasurer, or Three of the Commissioners of Her Majesty's Treasury, together with the Costs of such Petition and Order, and all Costs relating thereto, the Amount thereof to be certified by One of the Masters of the High Court of Chancery, and to pay to the Petitioner appointed to receive the same as aforesaid the Residue of the Monies to be produced by such Sale, after Payment of all such Costs and Charges as aforesaid, for the Purpose of being paid by such Petitioner into the Receipt of Her Majesty's Exchequer, and the same shall be carried to the Credit of the Consolidated Fund of the United Kingdom of *Great Britain and Ireland*.

Sale of Stock for paying Expences of Act and other Costs, and Residue thereof to form Part of Consolidated Fund.

Ancient Payments out of the Hanaper to cease.

VII. And be it further enacted, That from and after the passing of this Act the said ancient Payments, amounting to the yearly Sum of Forty-five Pounds Eighteen Shillings and Seven-pence, payable by the Clerk of the Hanaper out of the Income or Revenue of his Office to the Master of the Rolls for the Time being, shall be discontinued and be no longer payable.

Repeal of Provision in 23 G.2. c. 25.

VIII. And be it enacted, That so much of the said Act of the Twenty-third Year of the Reign of King *George* the Second as directs the Payment of the said Sum of One thousand two hundred Pounds by the Clerk of the Hanaper to the Master of the Rolls shall be and the same is hereby repealed.

Abolishing Payment of certain Fees to the Master of the Rolls.

IX. And be it enacted, That from and after the passing of this Act the said Fee or Part of a Fee received by the Master of the Rolls for the Time being from the Registrars of the said Court of Chancery out of the Fees received by them upon every Decree or Dismission, shall no longer be received or be payable to the Use of the Master of the Rolls, or be received or payable to the said Registrars from the Person or Persons by whom such Fees are payable to them; and also that the said Fee received by or paid to the Use of the Master of the Rolls upon the Admission of any Sworn Clerk, and the said Fee received by or paid to the Use of the Master of the Rolls for allowing a Marshalsea Court Writ or Warrant to be executed within the Liberty of the Rolls as herein-before is mentioned, shall no longer be received or payable.

Other Fees to be paid into the Exchequer.

X. And be it enacted, That from and after the Fifth Day of *July* One thousand eight hundred and thirty-seven no Fees or pecuniary Profits whatever, other than and except such Fees or pecuniary Profits as shall have accrued or become payable previously to the said Fifth Day of *July* One thousand eight hundred and thirty-seven, and other than and except the Salary directed to be paid by this Act, shall be received by or be payable to the Use of the Master of the Rolls in respect of the Execution of his Office; and that all and every Officers and Persons who now receive for or pay to the Master of the Rolls for the Time being any Fees, Portion or Portions of Fees, or any other Sum or Sums of Money whatsoever in respect of his Office, shall continue to receive the same, or the like Fees, Portion or Portions of Fees, and Sums of Money (except such as are hereby abolished) for the public Use, and shall pay the same into Her Majesty's Exchequer, at such Times and Seasons as the same have been heretofore usually paid to the Master of the Rolls for the Time being, or at such other Times and Seasons, and in such Manner, and subject to such Regulations, as the Lord High Treasurer or any Three of the Commissioners of Her Majesty's Treasury for the Time being shall from Time to Time direct, and with such Deductions and Allowances only as have been heretofore usually made and allowed.

Repeal of Provision in 6 G. 4. c. 84.

XI. And be it enacted, That so much of the said Act of the Sixth Year of the Reign of King *George* the Fourth as relates to the Salary of the Master of the Rolls, and requires an Account of the Amount of Fees paid to him, or of Sums of Money received or payable to his Use,

Use, to be delivered from Time to Time to the Lord High Treasurer or Commissioners of the Treasury for the Time being, shall be and the same is hereby repealed, save and except as to the Delivery of such Account up to the said Fifth Day of *July* One thousand eight hundred and thirty-seven, and the Payment to the Master of the Rolls out of the Consolidated Fund as heretofore of the Deficiency (if any) in the Amount of his Salary up to that Day.

XII. And be it enacted, That from and after the Fifth Day of *July* One thousand eight hundred and thirty-seven there shall be issued and paid and payable out of and charged and chargeable upon the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, (after paying or reserving sufficient to pay all such Sum and Sums of Money as have been directed by any former Act or Acts to be paid out of the same, but with Preference to all other Payments which shall or may hereafter be charged upon or payable out of the same Fund,) for the Salary of the Master of the Rolls of the Court of Chancery in *England*, in lieu of all pecuniary Fees and Emoluments now received by him, the annual Sum of Seven thousand Pounds, to be computed and commenced, in the Case of the present Master of the Rolls, from the said Fifth Day of *July* One thousand eight hundred and thirty-seven, and to be computed and commenced, in the Case of every succeeding Master of the Rolls, from the Death or Resignation of his immediate Predecessor, in like Manner as if his Appointment bore Date the Day next subsequent to the Day of the Death or Resignation of his Predecessor; which said annual Sum of Seven thousand Pounds shall from Time to Time be payable and paid quarterly, free and clear from Land Tax and all other Taxes and Deductions whatsoever, on the Fifth Day of *January*, the Fifth Day of *April*, the Fifth Day of *July*, and the Tenth Day of *October* in each and every Year, by even and equal Portions, the first Payment thereof to be made on the Tenth Day of *October* next after the passing of this Act; and if any Person having the Office of Master of the Rolls shall die or resign such Office, the Executors or Administrators of the Person so dying or resigning such Office shall be entitled to such proportionable Part of the said Salary as shall have accrued during the Time that such Person shall have executed the said Office.

XIII. And be it further enacted, That from and after the said Fifth Day of *July* One thousand eight hundred and thirty-seven there shall be issued and paid and payable out of and charged and chargeable upon the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland* (after paying or reserving sufficient to pay all such Sum and Sums of Money as have been directed by any former Act or Acts to be paid out of the same, but with Preference to all other Payments which shall or may hereafter be charged upon or payable out of the same Fund,) in lieu of the yearly Payments now made out of the Rents and Profits of the said Rolls Estates to the Preacher and Reader of the said Rolls Chapel, and to the Clerk attending the Performance of Divine Service there, and for keeping the said Chapel clean, and on the same Days or Times and in the same Manner as the said annual Salary of Seven thousand Pounds is herein-before directed to be issued and paid to the Master of the Rolls, the annual Sum of

Two

Two hundred and twenty-five Pounds to the Preacher for the Time being of the Rolls Chapel, to be paid and applied by him (in such Proportions and in such Manner as the Master of the Rolls for the Time being shall think proper and direct) to the Preacher and Reader at the said Chapel, and to the Clerk attending the Performance of Divine Worship therein, and in payment of the Expences attending the Performance of Divine Worship at the said Chapel, and of keeping the said Chapel clean.

Master of the
Rolls to have
the same
Power of ap-
pointing
Officers as he
now exer-
cises.

XIV. Provided always, and be it enacted, That the Master of the Rolls for the Time being shall be entitled to appoint all such Officers (except the Receiver of the Rents of the Rolls Estate) as he would have been entitled to appoint if this Act had not been made; and that the present and all future Officers appointed by the Master of the Rolls (except such Receiver as aforesaid) shall have all such and the same Powers, Authorities, Jurisdictions, and Privileges, and shall be entitled to the same Salaries, Fees, Profits, and Emoluments, as they would have been entitled to have, receive, and enjoy if this Act had not been made.

The SCHEDULE to which this Act refers.

The ROLLS ESTATE consists of the following Particulars :

The Mansion House, in which is the Court.
 The Chapel and Office thereto belonging.
 The Secretary's Office.
 Coach-house and Stables.
 Porter's Lodge.
 Robing Room.
 Garden (a Portion of which the Master of the Rolls has demised to the Society of Judges and Serjeants by virtue of the Statute Sixth and Seventh William the Fourth, Chapter Forty-nine, for the Purpose of building Judges Chambers thereon).

Also of the following Houses :

Number in Rental.	TENANTS.	Number of Houses.	Expiration of the Term.	Yearly Rent.
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Fetter Lane.

					£	s.	d.
1	Holmes	- - -	123	5 July 1845	-	36	0 0
2	Meharey	- - -	129	5 July 1838	-	25	0 0
3	Kennedy	- - -	125	5 July 1846	-	35	0 0
4	Oakley	- - -	119	5 January 1847	-	50	0 0
5	Price	- - -	115	5 July 1845	-	35	0 0
6	Lightfoot	- - -	133	5 January 1855	-	33	0 0
7	Coleman	- - -	124	5 January 1857	-	31	10 0
8	West	- - -	117	5 July 1840	-	44	0 0
9	Highatt	- - -	130	5 July 1847	-	28	0 0
10	Reeve	- - -	118	5 July 1847	-	54	0 0
11	Crookes	- - -	120	5 July 1845	-	30	0 0
12	Batchelor	- - -	112	5 January 1839	-	30	0 0
13	Mosley	- - -	113	5 January 1839	-	42	0 0
14	Savage	- - -	111	5 July 1841	-	100	0 0
15	Maclean	- - -	135	5 July 1848	-	34	0 0
16	Smith	- - -	127	10 October 1851	-	73	10 0
17	Birch	- - -	116	5 January 1852	-	35	0 0
18	Shaw and Sons	- - -	136	5 January 1847	-	32	0 0
19	Levy	- - -	131	25 December 1840	-	30	0 0
20	Bealby	- - -	114	5 April 1840	-	30	0 0
21	Shaw	- - -	137	5 July 1847	-	30	0 0
22	Quin	- - -	122	5 January 1839	-	25	0 0
23	Allingham	- - -	121	5 January 1848	-	35	0 0
24	Sewell	- - -	132	5 January 1846	-	40	0 0
25	Talmage	- - -	134	5 January 1848	-	36	0 0
26	Oakley	- - -	20	5 July 1850	-	40	0 0

Chancery Lane.

27	Moulton	- - -	18	5 July 1858	-	56	0 0
28	Northcroft	- - -	97	5 July 1843	-	42	0 0
29	Walford	- - -	8	5 January 1848	-	54	0 0

Number in Rental.	TENANTS.	Number of Houses.	Expiration of the Term.	Yearly Rent.
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Chancery Lane—continued.

				£	s.	d.
30	Heath	- - -	11	5 January 1841	-	50 0 0
31	Steer	- - -	15	5 January 1845	-	63 0 0
32	Mayhew	- - -	19	5 July 1845	-	50 0 0
33	Acton	- - -	17	5 January 1840	-	35 0 0
34	Chilton	- - -	7	5 July 1838	-	52 10 0
35	Ryder	- - -	35	5 July 1838	-	50 0 0
36	Steel	- - -	12	-	-	60 0 0*
37	Baddeley	- - -	5	5 April 1856	-	70 0 0
37 a	Carlton	- - -	6	5 April 1856	-	93 0 0
38	Thomson	- - -	9	5 January 1845	-	54 0 0
39	Battye	- - -	20	-	-	40 0 0*
40	Davies	- - -	13	5 July 1852	-	60 0 0
41	Jones	- - -	10	5 January 1845	-	60 0 0
42	Hamilton	- - -	16	5 July 1838	-	36 0 0
43	Offord	- - -	98	10 October 1838	-	40 0 0

Carey Street.

44	Hepburn	- - -	61	5 January 1837	-	60 0 0*
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Rolls Buildings.

45	Moy	- - -	1	5 April 1841	-	29 0 0
46	Reeve	- - -	4	5 July 1837	-	35 0 0
47	Legg	- - -	17	5 July 1847	-	38 0 0
48	Barrack	- - -	3	-	-	36 0 0*
49	Triston	- - -	2	5 January 1848	-	38 0 0
50	Smith	- - -	19	5 July 1845	-	38 0 0
51	Robertson	- - -	18	5 January 1848	-	40 0 0
52	Walker	- - -	19	5 July 1848	-	38 0 0
53	Hasterick	- - -	16	-	-	38 0 0*
54	Howlett	- - -	6	5 July 1845	-	34 0 0

Waste Land at Norwood.

55	Richardson	- - -	-	-	-	1 1 0
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The Leases of the Houses which are distinguished by the Mark (*) have expired.

The following Offices, (videlicet,) the Subpcena Office, the Examiner's Office, the Crown Office in Chancery, and the Petty Bag Office, and some Rooms in which Records are deposited, are also situate upon the Rolls Estate; but, under the Statute Fifthieth George the Third, Chapter One hundred and sixty-four, they are vested in the Master of the Rolls, in Trust and for the Purposes of the Act only.



ANNO PRIMO

VICTORIÆ REGINÆ.

C A P. XLVII.

An Act to repeal the Prohibition of the Payment of the Salaries and Allowances of the *East India Company's* Officers during their Absence from their respective Stations in *India*.

[12th July 1837.]

WHEREAS under and by virtue of an Act passed in the Thirty-third Year of the Reign of His Majesty King George the Third, intituled *An Act for continuing in the East India Company for a further Term the Possession of the British Territories in India, together with their exclusive Trade, under certain Limitations; for establishing further Regulations for the Government of the said Territories, and the better Administration of Justice within the same; for appropriating to certain Uses the Revenues and Profits of the said Company; and for making Provisions for the good Order and Government of the Towns of Calcutta, Madras, and Bombay*, and of another Act passed in the Third and Fourth Years of the Reign of His late Majesty King William the Fourth, intituled *An Act for effecting an Arrangement with the East India Company, and for the better Government of His Majesty's Indian Territories, till the Thirtieth Day of April One thousand eight hundred and fifty-four*, it is enacted, that "if any Governor or other Officer whatever in the Service of the said Company shall leave the Presidency to which he shall belong, other than in the known actual Service of the said Company, the Salary and Allowances appertaining to his Office

33 G. 3. c. 52.
3 & 4 W. 4. c. 85.

5 P

So much of the Provisions of the recited Acts as prohibits the Payment of Salaries to Officers in the Service of the East India Company during their Absence shall not extend to Cases of Sickness ;

nor to Cases of Officers quitting one Presidency for another, in order to, embark for Europe.

No Rule valid till approved by Court of Directors, subject to the Control of Commissioners for Affairs of India.

Power for the Court of Directors, subject to

Office shall not be paid or payable during his Absence to any Agent or other Person for his Use, and in the event of his not returning, or of his coming to *Europe*, his Salary and Allowances shall be deemed to have ceased on the Day of his leaving the said Territories or the Presidency to which he may have belonged": And whereas it is further provided in the said last-mentioned Act, that it shall be lawful for the said Company to make such Payment as is now by Law permitted to be made to the Representatives of their Officers or Servants, who, having left their Stations intending to return thereto, shall die during their Absence, and it is expedient that such Provision of the Law should be altered in manner herein-after mentioned: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That so much and such Part or Parts of the said Two Acts passed respectively in the Thirty-third Year of the Reign of His Majesty King *George* the Third and in the Third and Fourth Years of the Reign of His said late Majesty King *William* the Fourth, and of any other Act or Provision of the Law, as enacts that if any Governor, or other Officer whatever in the Service of the said Company shall leave the Presidency to which he shall belong, other than in the known actual Service of the said Company, the Salary and Allowances appertaining to his Office shall not be paid or payable during his Absence to any Agent or other Person for his Use, shall not extend to the Case of any Officer or Servant of the Company under the Rank of Governor or Member of Council who shall quit the Presidency to which he shall belong in consequence of Sickness, under such Rules as may from Time to Time be established by the Governor General in *India* in Council, or by the Governor in Council of such Presidency, as the Case may be, and who shall proceed to any Place within the Limits of the *East India* Company's Charter, or to the *Cape of Good Hope*, or to the *Mauritius*, or to the Island of *St. Helena*, nor to the Case of any Officer or Servant of the said Company, under such Rank as aforesaid, who, with the Permission of the Government of the Presidency to which he shall belong, shall quit such Presidency in order to proceed to another Presidency for the Purpose of embarking thence for *Europe*, until the Departure of such Officer or Servant from such last-mentioned Presidency with a view to return to *Europe*, so as that the Port of such Departure for *Europe* shall not be more distant from the Place which he shall have quitted in his own Presidency than any Port of Embarkation within such Presidency.

II. Provided always, and be it enacted, That no such Rule so to be established as aforesaid shall have any Force or Validity until the same shall have been approved by the Court of Directors of the said Company, subject to the Control of the Commissioners for the Affairs of *India*, in like Manner as is provided by the said Act of the Third and Fourth Years of the Reign of His late Majesty King *William* the Fourth.

III. And be it further enacted, That it shall be lawful for the said Court of Directors, subject to such Control as aforesaid, to direct the refunding,

refunding, by any Officer or Servant of the said Company, or by the Representatives of any such Officer or Servant, of the Whole or any Part of the Salary or Allowance which he or they may have received under or by virtue of any such Rule so to be established as aforesaid, if it shall appear to the said Court, subject to such Control as aforesaid, that the Permission to such Officer or Servant to quit the Presidency to which he shall belong hath been improperly granted or obtained; and such Sum as the said Court, subject to such Control as aforesaid, shall direct such Officer or Servant, or the Representatives of such Officer or Servant, to refund, shall be a Debt due to the said Company, and shall be recoverable by them in any Court in like Manner as any Debt may now or hereafter shall be recovered by them.

aforesaid
Control, to
direct the
refunding of
any Part of
the Allow-
ance paid
under any of
said Rules.

LONDON: Printed by GEORGE EYRE and ANDREW SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1837.



ANNO PRIMO

VICTORIÆ REGINÆ.

C A P. XLVIII.

An Act to appoint a Second Commissioner of Bankrupt in *Ireland*; and to amend an Act passed in the Sixth and Seventh Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to amend the Laws relating to Bankrupts in Ireland*. [12th July 1837.]

WHEREAS by an Act passed in the last Session of Parliament in the Sixth Year of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to amend the Laws relating to Bankrupts in Ireland*, it was enacted, that it should be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being to appoint a fit and proper Person, being a Barrister at Law of not less than Ten Years standing at the Bar, to be the Commissioner in all Commissions of Bankrupt to be issued pursuant to the said recited Act, and to be called the Commissioner of Bankrupt, which Commissioner so to be appointed should hold his Office during good Behaviour; and that all Commissions of Bankrupt issued under the Great Seal of that Part of the United Kingdom called *Ireland*, by virtue of said recited Act, should be issued to the said Commissioner; and that there should be paid and payable out of the Monies standing to the Bankruptcy and Compensation Fund Account to the Commissioner of Bankrupt to be appointed by virtue of said recited Act the yearly Sum of One thousand five hundred Pounds by Four Quarterly Payments as therein mentioned: And whereas *John Macan* Esquire, one of Her Majesty's Counsel at Law, was duly appointed the Commissioner of Bankrupt under the said recited Act, and it has been found that the Business of the Court of the said

6 & 7 W. 4.
c. 14.

Her Majesty
may appoint
a Second
Commis-
sioner.

said Commissioner of Bankrupt and of Matters in Bankruptcy therein cannot be discharged by One Commissioner, and that the Public Service requires that a Second Commissioner of Bankrupt should be appointed for the due Discharge of said Business: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act it shall and may be lawful for Her Majesty, Her Heirs and Successors, by Commission under the Great Seal of *Ireland*, to appoint a fit and proper Person, being a Barrister at Law of not less than Ten Years standing at the Bar, to be a Commissioner of Bankrupt in *Ireland*, and to be called the Second Commissioner of Bankrupt, which said Second Commissioner so to be appointed shall hold his Office during good Behaviour, notwithstanding the Demise of Her Majesty (whom God long preserve) or any of Her Heirs and Successors: Provided always, that it may be lawful for Her Majesty, Her Heirs and Successors, to remove such Second Commissioner upon the Address of both Houses of Parliament.

Oath of
Second Com-
missioner.

All Commis-
sions to be
issued to
both.

Full Power
to either
Commis-
sioner to act
alone.

II. And be it enacted, That such Second Commissioner, before he shall be capable of acting in the Execution of any of the Powers and Authorities given him by virtue of this Act and the said recited Act, shall take the Oath in the said recited Act contained and directed to be taken by the Commissioner of Bankrupt under the said recited Act; and that all Commissions of Bankrupt to be issued under the Great Seal of that Part of the United Kingdom called *Ireland* shall be issued to both said Commissioners; provided however, that each of the said Commissioners shall have full Power, Jurisdiction, and Authority to proceed in the Execution of any Commission in the Absence of the other, as fully and effectually to all Intents and Purposes as if such Commission was directed to him alone; and every Act of any One Commissioner in the Absence of the other shall be as valid as if done by both, save only that it shall not be lawful for any One Commissioner without the Consent of the other to rescind any Order made by the other when sitting alone.

The Second
Commis-
sioner to
have all the
Powers, &c.
of Commis-
sioner under
6 & 7 W. 4.
c. 14.

III. And be it enacted, That the said Second Commissioner to be appointed under this Act shall have, as well in all Commissions now subsisting as in those to be hereafter issued, all and every the Rights, Powers, Jurisdiction, and Authority, and be subject to all the Duties of any Commissioner appointed or to be appointed under the said recited Act, and that all and every the Enactments, Clauses, and Provisions of the said recited Act shall extend and be applied to the said Second Commissioner of Bankrupt, to all Intents and Purposes whatsoever, as fully and effectually as if such Second Commissioner were appointed under the said recited Act.

Her Majesty
may appoint
First Com-
missioner
when Va-
cancy may
occur.

IV. And be it further enacted, That upon the Death, Resignation, or Removal of the First Commissioner already appointed or to be appointed under the Powers of the said Act it shall not be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being to appoint any Person to be the First Commissioner

sioner in place of such First Commissioner so dying, resigning, or removed, but it shall and may be lawful for Her Majesty, Her Heirs and Successors, by Commission under the Great Seal of *Ireland*, to appoint a fit and proper Person, being a Barrister at Law of not less than Ten Years standing at the Bar, to be a Commissioner of Bankrupt in *Ireland*, and to be called the First Commissioner of Bankrupt, and to exercise all the Duties, and to have all the Rights, Incidents, and Privileges, specified in the said recited Act with respect to the Commissioner of Bankrupt whom the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being were by the said recited Act authorized to appoint.

V. And be it further enacted, That the First Commissioner already appointed, or any other First Commissioner appointed upon his Death, Resignation, or Removal, shall hold his Office notwithstanding the Demise of Her Majesty (whom God long preserve) or any of Her Heirs and Successors, and shall not be removed by the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being, any Law or Statute to the contrary notwithstanding: Provided always, that it may be lawful for Her Majesty, Her Heirs and Successors, to remove such First Commissioner or such other Commissioner upon the Address of both Houses of Parliament.

First Commissioner to hold his Office notwithstanding Demise of Her Majesty.

VI. And be it further enacted, That from and after the Appointment of said Second Commissioner there shall be paid to him and his Successors in Office, out of the Monies standing to the Bankruptcy and Compensation Fund Account, the yearly Sum of One thousand five hundred Pounds, the which said Sum shall be paid at the same Times and in like Manner as the Salary provided by said recited Act is directed to be paid to the Commissioner thereby appointed; and the Commissioner appointed by virtue of this Act, or his Executors and Administrators, shall be entitled to the like proportional Part of his Salary, in the event of his Removal, Resignation, or Death, as is provided by said recited Act for said Commissioner thereby appointed.

Salary of 1,500*l.* to be paid to the Second Commissioner.

VII. And be it enacted, That in lieu of the Fee of Three Pounds Sterling payable by the said recited Act for every Sitting under any Commission there shall be paid for every Sitting under any Commission before either of said Commissioners the Sum of Four Pounds Sterling, to be paid or abated as in said recited Act is provided with reference to the said former Fee of Three Pounds.

4*l.* to be paid for every Sitting before the Commissioners.

VIII. And be it enacted, That it shall and may be lawful for the Lord Chancellor of *Ireland*, if he shall think it necessary for the proper Discharge of the Business of the Court of said Commissioners, to appoint some proper Person to act as Assistant Registrar of said Court, and to direct that a Salary not exceeding Three hundred Pounds *per Annum* shall be paid to him out of the said Bankruptcy and Compensation Fund, and from Time to Time to remove such Assistant Registrar if he shall think fit, and on his Removal, or on his Resignation or Death, to appoint another Person in his Place.

Power to appoint Assistant Registrar.

IX. And

Repeal of
Provision
as to Mes-
sengers
suing out
Commissions
of Bank-
ruptcy, &c.
Provision in
lieu thereof.

IX. And whereas it is by the said recited Act enacted, that any Person or Persons acting as Messenger or Messengers and who shall issue any Commission of Bankruptcy, or when issued out shall act as Agent in such Commission, shall from such Time be considered incapable for ever after of holding the Office of Messenger in any Commission of Bankrupt; be it enacted, That the said last-recited Enactment be and the same is hereby repealed.

X. And be it enacted, That if any Messenger or Messengers shall sue out or prosecute any Commission of Bankrupt, or shall act as Agent in any Commission of Bankruptcy, he or they shall from such Time be incapable for ever after of holding the Office of Messenger in any Commission of Bankrupt; and every Messenger shall, before the Commissioner executes his Warrant of Seizure to him, take before the Commissioner the Oath required by the said recited Act,

Attorney
General may
sue for
Penalties
for taking
unlawful
Fees, &c.

XI. And be it further enacted, That if any Person shall take any Fee, Emolument, Gratuity, Sum of Money, or Thing of Value contrary to the Provisions of the said recited Act, such Person so offending shall be subject and liable to all the Penalties and Forfeitures enacted by the said Act, and may be prosecuted either by Information at the Suit of Her Majesty's Attorney General or by Criminal Information before Her Majesty's Court of Queen's Bench, or by Indictment.

Persons im-
prisoned
under Pro-
visions of
Acts for
Riots, &c.
in Court, not
to be pro-
secuted by
Attorney
General.

XII. And be it further enacted, That no Person who under the Provisions of the said recited Act and of this Act shall be punished or liable to be punished by Imprisonment for Riot or Disturbance in any Court held by any Commissioner or Commissioners of Bankrupt, or for interrupting in any such Court the Commissioner in the Exercise of his Duty, shall be prosecuted for such Offence or Offences by Information at the Suit of Her Majesty's Attorney General or by Criminal Information before Her Majesty's Court of Queen's Bench, or by Indictment; any thing in the said recited Act to the contrary notwithstanding.

Commissions
not to abate
on Demise of
the Crown.

XIII. And be it enacted, That no Commission of Bankrupt heretofore issued, or which shall hereafter be issued, shall be deemed to have abated or shall abate by reason of the Demise of the Crown, or by the Removal, Death, or Resignation of the Commissioner or Commissioners named therein; and when the Commissioner or Commissioners named in any such Commission shall die, resign, or be removed his or their Successor and Successors in Office for the Time being shall execute such Commission.

Commence-
ment of Act.
Act may be
altered.

XIV. And be it enacted, That this Act shall commence and take effect on and from and after the Fifteenth Day of *July* One thousand eight hundred and thirty-seven; and that this Act may be repealed, altered, or amended during this present Session of Parliament.



ANNO PRIMO

VICTORIÆ REGINÆ.

C A P. XLIX.

An Act to amend certain Laws of Excise relating
to the Duties on Malt made in the United
Kingdom. [12th July 1837.]

WHEREAS an Act was passed in the Seventh and Eighth Years of the Reign of His Majesty King George the Fourth, intituled *An Act to consolidate and amend certain Laws relating to the Revenue of Excise on Malt made in the United Kingdom, and for amending the Laws relating to Brewers in Ireland, and to the Allowance in respect of the Malt Duty on Spirits made in Scotland and Ireland from Malt only*: And whereas an Act was passed in the Eleventh Year of the Reign of His said Majesty for altering and amending the said Act: And whereas it is expedient to alter and amend the said recited Acts: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That so much of the said recited Act passed in the Eleventh Year of the Reign of His said Majesty as enacts, "that there shall be delivered by the proper Officer of Excise to every Maltster or Maker of Malt a Book prepared for such Purposes as herein-after mentioned, to be kept by such Maltster or Maker of Malt in some public and open Part of his or her entered Premises, for the Inspection of the Officers of Excise; and every Maltster and Maker of Malt shall, on the same Day on which he shall steep any Corn or Grain to be made into Malt, and within Three Hours after any Corn or Grain shall have been covered with

5 R Water

7 & 8 G. 4. c. 52.
11 G. 4. c. 17.
So much of 11 G. 4. c. 17. as requires the keeping of Barley Books by Maltsters repealed.

Water for the Purpose of wetting or steeping the same to be made into Malt, enter in such Book and in the proper Columns to be prepared for such Purposes respectively a true and particular Account of the Quantity in Bushels of the Corn or Grain so wetted or steeped, and shall enter against and immediately opposite to every such Entry the particular Day and Hour of the Day on and at which such Corn or Grain was so wetted or steeped and covered with Water, and shall on the next Survey of the Officer of Excise produce to such Officer the said Book, with the said Entries therein, for his Information; and if any Maltster or Maker of Malt shall not keep such Book, or shall neglect or refuse to make any such Entry as aforesaid, or to produce such Book with such Entries therein to the Officer of Excise on his next Survey, or shall convey away or conceal the same, or shall destroy or tear out any Leaf thereof, or cancel, obliterate, destroy, or alter any Entry therein, or make any false Entry therein, or shall refuse to permit any Officer of Excise at any Time to inspect such Book, or to make any Minute therein, or to take any Extract therefrom, as to such Officer shall seem meet, or to remove or take away such Book, leaving a new Book for the like Purpose in lieu thereof, or if any Maltster or Maker of Malt shall have wetted or steeped any greater or less Quantity of Corn or Grain than shall be stated in the Entry thereof in the said Book, every Maltster or Maker of Malt so offending shall for every such Offence forfeit and lose the Sum of Fifty Pounds; provided that no Maltster or Maker of Malt shall be subject to the said Penalty for or by reason of his having steeped or wetted any greater or less Quantity of Corn or Grain than shall be stated in the Entry thereof, if the Quantity wetted shall not be greater or less than the Quantity entered in the Proportion of One Bushel in Twenty," shall be and the same is hereby repealed.

Respecting
Notices re-
quired to be
given by
Maltsters.

II. And be it enacted, That in all Cases in the said recited Acts respectively in which any Maltster or Maker of Malt shall be required to give any Notice to an Officer of Excise, the Time for giving such Notice shall be the same as is required to be given where the Malthouse is situate in a City or Market Town, or in the Suburbs thereof, notwithstanding the Malthouse of the Maltster or Maker of Malt giving such Notice may not be so situated.

So much of
7 & 8 G. 4.
c. 52. as em-
powers Offi-
cers to turn
over and lay
level again
Corn or
Grain which
they may
suspect to
have been
forced toge-
ther in the
Cistern or
Couch
Frame, &c.
repealed.

III. And be it enacted, That so much of the said recited Act of the Seventh and Eighth Years of the Reign of His said Majesty as enacts, "that if any Officer of Excise shall have Reason to believe or shall suspect that the Corn or Grain making into Malt in any Cistern or Couch Frame has been trodden or forced together, it shall be lawful for such Officer and any Person or Persons in aid and assistance of such Officer, in the Presence of the Maltster or Maker of Malt or of his or her Servant, if such Maltster or Servant shall think fit to be present, to turn over all such Corn or Grain, either by throwing all such Corn or Grain from and out of the Cistern or Couch Frame, and returning the same into the Cistern or Couch Frame from which it shall have been thrown, and laying the same level again therein, or by turning over all such Corn or Grain in such Cistern or Couch Frame and laying the same level again therein, or by throwing out any Part of such Corn or Grain from such Cistern or Couch Frame,

and turning over so much thereof as shall be left remaining therein, and returning so much of such Corn or Grain as shall have been thrown out into the Cistern or Couch Frame from which the same shall have been thrown, and laying the whole of such Corn or Grain level again in such Cistern or Couch Frame, as to such Officer shall seem fit; and every Maltster or Maker of Malt, together with his or her Servants, shall give such Aid and Assistance to such Officer and to such Person or Persons as aforesaid in such Behalf as aforesaid as such Officer or other Person may request; and if any Increase shall be found in the Gauge or Quantity of such Corn or Grain, after being turned over and laid level again in the Cistern or Couch Frame in any such Manner as aforesaid, over and above the former Gauge, in any greater Proportion than that of One Bushel in every Twenty Bushels of such Corn or Grain, the Increase so found as aforesaid shall be deemed conclusive Evidence that such Corn or Grain had been trodden or forced together; and if any Maltster or Maker of Malt shall refuse to aid and assist any Officer of Excise, or any Person or Persons acting in aid and assistance of such Officer as aforesaid, every such Maltster or Maker of Malt so offending shall for every such Offence forfeit and lose the Sum of One hundred Pounds; provided always nevertheless, that it shall be lawful to prove by any other or indifferent Evidence than that above mentioned that such Corn or Grain had been trodden or forced together," shall be and the same is hereby repealed.

IV. And be it enacted, That so much of the said recited Act of the Eleventh Year of the Reign of His said Majesty as recites the said Provision therein-before last repealed, and enacts, "that when any Officer of Excise shall in manner authorized by the said recited Act turn over all such Corn or Grain, either by throwing all such Corn or Grain from and out of the Cistern or Couch Frame, and returning the same into the Cistern or Couch Frame from which it shall have been thrown, and laying the same level again therein, or by turning over all such Corn or Grain in such Cistern or Couch Frame and laying the same level again therein, or by throwing out any Part of such Corn or Grain from such Cistern or Couch Frame, and turning over so much thereof as shall be left remaining therein, and returning so much of such Corn or Grain as shall have been thrown out into the Cistern or Couch Frame from which the same shall have been thrown, and laying the whole of such Corn or Grain level again in such Cistern or Couch Frame, as to such Officer shall seem fit; and if any Increase shall be found in the Gauge or Quantity of such Corn or Grain, after being turned over and laid level again in the Cistern or Couch Frame in any such Manner as aforesaid, over and above the former Gauge, in any greater Proportion than that of One Bushel in every Twenty Bushels of such Corn or Grain, the Increase so found is in and by the said recited Act to be deemed conclusive Evidence that such Corn or Grain had been trodden or forced together: And whereas it may happen that when Corn or Grain has been emptied from the Cistern into the Couch Frame more than Twelve Hours the Increase thereof from the Swell may amount to One Bushel in Twenty without Fraud, and it is expedient to alter such Proportion so far as respects such Corn or Grain in the Couch Frame;

So much of 11 G. 4. c. 17. as specifies what Increase shall be Evidence of treading or forcing together, repealed.

Frame; be it therefore enacted, that when any Officer of Excise shall, in manner authorized by the said recited Act, turn over and level again in any Couch Frame any Corn or Grain after the Expiration of Twelve Hours from the Time when such Corn or Grain shall have been emptied from the Cistern or Cisterns into such Couch Frame, and any Increase shall be found in the Gauge or Quantity of such Corn or Grain, after being turned over and laid level again in the Couch Frame in any such Manner as aforesaid, over and above the former Gauge, no such Increase shall be deemed conclusive Evidence that such Corn or Grain had been trodden or forced together unless such Increase shall be in any greater Proportion than Six Bushels and One Quarter of a Bushel in every One hundred Bushels of such Corn or Grain," shall be and the same is hereby repealed.

Officer of Excise, suspecting any Cistern or Couch to be trodden or forced together, may have the same turned out and returned.

What Increase to be deemed conclusive Evidence of treading or forcing together.

V. And be it enacted, That when any Officer of Excise shall suspect that the Corn or Grain making into Malt in any Cistern or Couch Frame has been trodden or forced together, or that the Corn or Grain so making into Malt therein is so hard, close, and compact as it could not have been unless the same had been by some Means or other trodden or forced together in such Cistern or Couch Frame, it shall be lawful for such Officer to direct the Maltster or Maker of Malt, or his Workmen and Servants, to throw all such Corn or Grain from and out of the Cistern or Couch Frame, and for such Officer, and any Person or Persons in his Aid or Assistance, which Aid and Assistance the Maltster or his Workmen and Servants shall also give if required, to return all such Corn or Grain into the Cistern or Couch from which the same shall have been thrown, and to lay the whole of such Corn or Grain level again in such Cistern or Couch; and if any Increase shall be found in the Gauge or Quantity of such Corn or Grain, after being returned into and laid level again in the Cistern or Couch Frame, over and above the former Gauge taken before the same was thrown out, in any greater Proportions than those of Five Bushels in every One hundred Bushels previously to such Corn or Grain having been emptied Eight Hours from the Cistern, or Six Bushels in every One hundred Bushels if such Corn or Grain shall have been emptied from the Cistern Eight Hours and not emptied Sixteen Hours, or Seven Bushels in every One hundred Bushels if such Corn or Grain shall have been emptied from the Cistern Sixteen Hours or upwards, the Increase so respectively found as aforesaid shall be deemed conclusive Evidence of such Corn or Grain having been trodden or forced together, and the Court or Justices before whom such Evidence shall be given shall thereupon convict the Maltster or Maker of Malt in the Penalty imposed by the said recited Act of the Seventh and Eighth Years of His said Majesty's Reign; and every Maltster or Maker of Malt who, or whose Servants or Workmen shall, when directed by any Officer of Excise, refuse to throw out any Corn or Grain making into Malt from any Cistern or Couch, or to aid or assist, if required so to do, in returning the same into the Cistern or Couch from which the same shall have been thrown, shall forfeit One hundred Pounds: Provided always, that it shall be lawful to prove by any other or different Evidence that such Corn or Grain had been trodden or forced together.

VI. And

VI. And be it enacted, That so much of the said recited Act of the Eleventh Year of the Reign of His said Majesty as, after reciting that every Maltster and Maker of Malt is by the said recited Act of the Seventh and Eighth Years of the Reign of His said Majesty restricted from wetting, watering, or sprinkling any Corn or Grain making into Malt before the Expiration of Twelve Days or Two hundred and eighty-eight Hours after the same shall have been emptied or taken from or out of the Cistern, and that it is expedient to allow, under certain Regulations, Maltsters and Makers of Malt to water and sprinkle Corn or Grain making into Malt before the Expiration of Twelve Days or Two hundred and eighty-eight Hours, enacts "that it shall and may be lawful for any Maltster or Maker of Malt who shall have kept and continued any Corn or Grain making into Malt covered with Water in the Cistern for the full Space of Fifty Hours from the Time of such Corn or Grain being first wetted or steeped, and who shall not at the same Time have in the same Malthouse any other Corn or Grain on the Floor which shall have been kept and covered with Water for any less Space than Fifty Hours from the Time of the same being first wet or steeped, to wet, water, or sprinkle any such Corn or Grain at any Time after the Expiration of Eight Days or One hundred and ninety-two Hours after the same shall have been emptied or taken out of the Cistern; provided always, that every Maltster or Maker of Malt who shall wet, water, or sprinkle any Corn or Grain making into Malt contrary to the Regulations aforesaid shall be subject and liable to the Penalty in and by the said recited Act imposed for wetting, watering, or sprinkling Corn or Grain before the Expiration of Twelve Days or Two hundred and eighty-eight Hours," shall be and the same is hereby repealed.

So much of
11 G. 4. c. 17.
as allows
Maltsters to
sprinkle
Grain which
has been
wetted Fifty
Hours, re-
pealed.

VII. And be it enacted, That it shall be lawful for any Maltster or Maker of Malt who shall have kept and continued any Corn or Grain making into Malt covered with Water in the Cistern for the full Space of Fifty Hours from the Time of such Corn or Grain being first wetted or steeped, and who shall not at the same Time have in the same Malthouse any other Corn or Grain in the Couch or on the Floor which shall have been kept covered with Water in the Cistern for any less Space than Fifty Hours from the Time of the same having been first wetted or steeped, to wet, water, or sprinkle any such Corn or Grain at the Expiration of Six Days or One hundred and forty-four Hours after the same shall have been emptied or taken out of the Cistern, on giving Notice to the Officer of Excise of his Intention to wet, water, or sprinkle such Corn or Grain Twenty-four Hours before wetting, watering, or sprinkling the same; Provided always, that every Maltster or Maker of Malt who shall wet, water, or sprinkle any Corn or Grain making into Malt before the Expiration of Twelve Days or Two hundred and eighty-eight Hours, except under the Regulations and on giving such Notice as aforesaid, shall be subject and liable to the Penalty imposed by the said recited Act of the Seventh and Eighth Years of the Reign of His said Majesty for such Offence.

Maltsters
may sprinkle
Grain wetted
Fifty Hours
under cer-
tain Regula-
tions.

So much of
11 G. 4. c. 17.
as relates to
Allowances
to be made
on gauging
Corn or
Grainmaking
into Malt for
the Charge
of Duty, re-
pealed.

VIII. And be it enacted, That so much of the said recited Act of the Eleventh Year of the Reign of His said Majesty as enactst, "that whenever the Duty upon Malt shall be charged by Gauge of the Corn or Grain taken whilst the same is in a State of Operation or in Process of making into Malt, such Allowances shall be made upon such Gauges as are therein-after mentioned; that is to say, upon every Gauge thereof taken by the Officer of Excise in the Cistern wherein the Corn or Grain is wetting or steeping to be made into Malt, during the Time which such Corn or Grain shall be kept and continued in such Cistern, or in the Couch Frame into which such Corn or Grain shall be emptied, or on the Floor, during the Period for which such Corn or Grain is by this Act before required to be kept and continued in such Couch Frame, and directed to be deemed in Couch, and gauged and taken account of as in such Couch, and Allowance shall be made by such Officer of Seventeen Bushels, and One Half Bushel in every One hundred Bushels of the whole Quantity of the Corn or Grain so found by such Gauge; and upon every Gauge taken by the Officer of Excise of such Corn or Grain on the Floor after the Expiration of Twenty-six Hours, if such Corn or Grain shall have been previously gauged and taken account of in the Couch Frame, and if such Corn or Grain shall not have been so previously gauged then after the Expiration of Thirty Hours and before the Expiration of Seventy-two Hours from the Time when such Corn or Grain was emptied or taken from or out of the Cistern, an Allowance shall be made of One Third of the whole Quantity of the Corn or Grain so found by such Gauge as last aforesaid; and upon every Gauge afterwards taken by the Officer of Excise of such Corn or Grain before the same shall be dried an Allowance shall be made by such Officer of One Half of the whole Quantity of such Corn or Grain so found by such Gauge as last aforesaid; and the Duty of Excise on Malt when charged upon the Corn or Grain in a State of Operation or in Process of making into Malt as aforesaid shall be charged on the best of the several Gauges so taken as aforesaid after such Allowances shall have been so made thereon respectively as aforesaid," shall be and the same is hereby repealed.

Allowances
to be made
on gauging
Corn or
Grain mak-
ing into Malt
for the
Charge of
Duty.

IX. And be it enacted, That in lieu of the Allowances hereby repealed there shall be made upon the Gauges of Corn or Grain taken whilst the same is in Operation or in Process of making into Malt the Allowances following; that is to say, upon every Gauge thereof taken by the Officer of Excise in the Cistern wherein the Corn or Grain is wetting or steeping to be made into Malt, during the Time that such Corn or Grain shall be kept and continued in such Cistern, or in the Couch Frame into which such Corn or Grain shall be emptied, or on the Floor, during the Period for which such Corn or Grain is by the said recited Act of the Eleventh Year of the Reign of His said Majesty required to be kept and continued in such Couch Frame, or directed to be deemed in Couch, and gauged and taken account of as in Couch, an Allowance shall be made by such Officer of Eighteen Bushels and One Half Bushel in every One hundred Bushels of the whole Quantity of the Corn or Grain so found by such Gauge; and upon every Gauge taken by the Officer of Excise

of such Corn or Grain on the Floor or on the Kiln after the Expiration of Twenty-six Hours if such Corn or Grain shall have been previously gauged and taken an Account of in the Couch Frame, or if such Corn or Grain shall not have been so previously gauged then after the Expiration of Thirty Hours, an Allowance shall be made by such Officer of One Half of the whole Quantity of such Corn or Grain found by such Gauge before the said Corn or Grain shall be wholly dried off and removed from the Kiln; and the Duty of Excise on Malt, when charged by Gauge upon the Corn or Grain in a State of Operation or in Process of making into Malt, shall be charged on the best of the several Gauges so taken as aforesaid after such Allowances shall have been so made thereon respectively as aforesaid.

X. And whereas by the said recited Act of the Seventh and Eighth Years of the Reign of His said Majesty no Maltster or Maker of Malt is allowed at one and the same Time to have more than Five Floors or Quantities of Corn or Grain making into Malt in the Couch Frame or on the Floor or Kiln, or all or any of them, wetted or steeped in and arising from, or pretended to have been wetted or steeped in and to have arisen from, or denoted by its Place of Deposit in the Malthouse to have been wetted or steeped in and to have arisen from, one and the same Cistern, or one or more Cisterns emptied into one and the same Couch Frame, under a Penalty of Two hundred Pounds; be it further provided and enacted, That no Maltster or Maker of Malt shall incur or be subject to the said Penalty for or by reason of his having at the same Time Six Floors or Quantities of Corn or Grain making into Malt in the Couch Frame or on the Floor or Kiln, or all or any of them, wetted or steeped in and arising from one and the same Cistern or from one or more Cisterns emptied into one and the same Couch Frame.

Maltster may have 6 Floors, including the Couch and Kiln, in operation at the same Time.

XI. And be it enacted, That every Officer of Excise surveying any Maltster or Maker of Malt shall in respect of every wetting or steeping of Corn or Grain to be made into Malt, at his next Visit after the Quantity of Corn or Grain so wetted or steeped shall have been dried off into Malt and removed from the Kiln, enter on the Specimen the Number of Bushels of Malt with which the Maltster or Maker of Malt shall be chargeable on such wetting or steeping, according to the best Gauge at any Time had on such Corn or Grain, showing in such Entry whether such Charge has arisen from the Cistern or Couch or the Floor or Kiln.

Officer to enter on the Specimen the Number of Bushels charged on each steeping.

XII. And be it enacted, That this Act shall commence and take effect on the Tenth Day of *October* One thousand eight hundred and thirty-seven.

Commencement of Act.



ANNO PRIMO

VICTORIÆ REGINÆ.

C A P. L.

An Act to facilitate the Conveyance of Lands and Buildings for the Purposes of Two Acts passed respectively in the Fifth and Sixth Years of His late Majesty King *William* the Fourth.

[15th July 1837.]

WHEREAS an Act was passed in the Fifth Year of the Reign of His late Majesty King *William* the Fourth, intituled *An Act for the Amendment and better Administration of the Laws relating to the Poor in England and Wales*: And 4 & 5 W. 4. c. 76. whereas another Act was passed in the Sixth Year of the Reign of His said late Majesty, intituled *An Act to facilitate the Conveyance of Workhouses and other Property of Parishes and of Incorporations or Unions of Parishes in England and Wales*: And whereas Doubts are entertained as to whether the herein recited Acts respectively apply to Lands or Buildings or other Hereditaments of Copyhold or Customary Tenure; and it is expedient that such Doubts should be removed, and that the Provisions of the said Acts should be extended in some respects: Be it therefore enacted and declared by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Provisions of the said herein recited Acts apply to and comprise Lands and Buildings and other Hereditaments of Copyhold or Customary 5 T Provisions of recited Act to extend to Copyhold Lands, &c.

tomary Tenure, as well as Lands, Buildings, and other Hereditaments of Freehold Tenure.

Provision for
Enfranchise-
ment of
Copyholds.

II. And be it enacted, That whenever any Contract shall be entered into for the Purposes of the said recited Acts or either of them, or of this Act, respecting any Lands, Buildings, or other Hereditaments of Copyhold or Customary Tenure, it shall be lawful for the Poor Law Commissioners to direct that the Difference in Value of such Lands or Buildings or other Hereditaments, as of Copyhold or Customary Tenure, and the Freehold or Fee Simple thereof, including therein the Value of any Fine, Heriot, or Customary Due, Payment, or Rent, or any Service capable of being valued, in respect of such Land or Building or other Hereditaments, shall be ascertained by such Means as they shall think fit; and that such Difference in Value when so ascertained shall be paid to or invested for the Use and Benefit of the Lord of the Manor of which such Lands or Buildings or other Hereditaments shall be Parcel, or such other Person as would be entitled to the Fines payable upon Death or Alienation of the same, or to such Heriot, Dues, Payment, Rent, or Service respectively; and upon and from the making of such Payment or Investment such Lands or Buildings or other Hereditaments shall thenceforth be deemed enfranchised and for ever discharged from every Fine, Customary or Copyhold, Heriot, Due, Payment, Rent, Suit, or Service; and such Lands and Buildings and other Hereditaments shall thenceforth be and remain of the Tenure of Free and Common Socage: Provided always, that if any such Lord of the Manor or other Person be under any legal Disability, the Powers of the said recited Acts, and of every other Act for building, hiring, or purchasing Workhouses, or for acquiring Lands for Workhouse Purposes, enabling Persons under Disability to convey or otherwise dispose of and deal with Property, shall apply to such Lord of the Manor or other Person as amply and fully as if the Case had been expressly provided for in such Acts or any of them: Provided also, that if such Lord of the Manor or other Person be dissatisfied with such Valuation, and shall within Seven Days after a Tender made to him of the Amount thereof, or after Notice left at his last known Place of Residence, or with his known Agent, of such Amount being ready to be paid to him or invested as aforesaid, send Notice by the Post to the Poor Law Commissioners of such Dissatisfaction, it shall be lawful for the Poor Law Commissioners to direct a further Valuation to be made, at or within such Period as they may see fit, by Two Valuers, one to be named by the Poor Law Commissioners, and the other by such Lord of the Manor or other Person, which Two Persons so named shall previous to their entering on their Valuation name a Third Valuer to be referred to in case they disagree, and the Award of such Three Valuers, or any Two of them, shall be binding on all Parties; and on Payment or Investment, under the Provisions of the said recited Acts or any of them, or of this Act, of the Amount of such last-mentioned Valuation, such Lands or Buildings and other Hereditaments shall thenceforth be deemed enfranchised and discharged in manner aforesaid, and be and remain of the Tenure of Free and Common Socage: Provided always, that it shall be lawful for any Overseers, Guardians, Lord of

the Manor, or other Person to complete any voluntary Agreement for the Purchase and Enfranchisement of any Copyhold or Customary Lands, Buildings, or other Hereditaments, under the Direction and with the Approbation of the Poor Law Commissioners, in like Manner as if such Agreement had been originally made under this Act, any thing in the said Acts or either of them, or in this Act, to the contrary notwithstanding; and in every such Case, if any Lord of the Manor or other Person be under legal Disability, the Power of the said recited Acts and of any other Act for building, hiring, or purchasing Workhouses, or for acquiring Lands for Workhouse Purposes, enabling Persons to convey or otherwise dispose of or deal with Property, shall apply to such Lord of the Manor or other Person as amply and fully as if the Case had been expressly provided for in such Acts or any of them.

III. And be it enacted, That when and so soon as any such Enfranchisement as aforesaid shall have been made it shall be lawful for the Steward of the Manor whereof the same Lands or Buildings were Parcel, and he is hereby required, on Receipt of a Certificate of such Valuation being made and Enfranchisement effected, under the Hands and Seal of the Poor Law Commissioners, to enter such Certificate on the Rolls or Books of the said Manor, and to furnish a Copy of such Entry, written on Parchment, to the Poor Law Commissioners, or to such Person or Persons as they may direct, and to certify the same to be a true Extract under his Hand; and such Certificate or a Copy thereof under the Seal of the Poor Law Commissioners shall thenceforth be Evidence of such Enfranchisement.

Steward of Manor to enter Certificate on Rolls of the Manor, and to furnish a Parchment Copy thereof to the Poor Law Commissioners.

IV. And be it enacted, That all Conveyances or Instruments by way of Sale or Exchange, or Assignment or Security or Transfer, to be made under the Authority of the said recited Acts or either of them, or of this Act, may be made in such Form as the Poor Law Commissioners shall by any Order or Orders signed by them and sealed with their Common Seal direct or approve of, or as near thereto as the Number of Parties, the Nature of the Interests, and the Circumstances of each Case will admit, and shall be valid and effectual in the Law, without Livery of Seisin being made, or any Bargain and Sale to vest Possession being executed, and without being enrolled.

Mode of Conveyance.



ANNO PRIMO

VICTORIÆ REGINÆ.

C A P. LI.

An Act to authorize a further Issue of Exchequer Bills for Public Works and Fisheries and Employment of the Poor, and to amend the Acts relating thereto. [15th July 1837.]

WHEREAS an Act passed in the Fifty-seventh Year of the Reign of His Majesty King George the Third, intituled *An Act to authorize the Issue of Exchequer Bills and the Advance of Money out of the Consolidated Fund to a limited Amount, for the carrying on of Public Works and Fisheries in the United Kingdom and Employment of the Poor in Great Britain, in manner therein mentioned*: And whereas another Act passed in the same Session of Parliament, intituled *An Act to amend an Act made in the present Session of Parliament, for authorizing the Issue of Exchequer Bills and the Advance of Money for carrying on Public Works and Fisheries and the Employment of the Poor*: And whereas another Act passed in the First Year of the Reign of His Majesty King George the Fourth, intituled *An Act to amend and continue Two Acts passed in the Fifty-seventh Year of His late Majesty King George the Third, for authorizing the Issue of Exchequer Bills and the Advance of Money for carrying on of Public Works and Fisheries and Employment of the Poor, and to extend the Powers of the Commissioners for executing the said Acts in Great Britain*: And whereas another Act passed in the First and Second Years of the Reign of His Majesty King George the Fourth, intituled *An Act to empower the Commissioners in Great Britain for the Execution of several Acts for authorizing the Issue of Exchequer Bills for carrying on of Public Works and Fisheries*

57 G.3.c.34.
57 G.3.c.124.
1 G.4.c.60.
1 & 2 G.4.c.111.

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- Fisheries and Employment of the Poor to extend the Time for the Payment of certain Advances under the said Acts: And whereas another Act passed in the Third Year of the Reign of His said Majesty, intituled An Act to amend Two Acts of the Fifty-seventh Year of His late Majesty and the First Year of His present Majesty, for authorizing the Issue of Exchequer Bills and the Advance of Money for carrying on Public Works and Fisheries and Employment of the Poor, and to authorize a further Issue of Exchequer Bills for the Purposes of the said Acts: And whereas another Act passed in the Fourth Year of the Reign of His said late Majesty, intituled An Act to authorize the Advance of Money by the Commissioners under several Acts for the Issue of Exchequer Bills for Public Works, for the building, rebuilding, enlarging, or repairing of Gaols in England: And whereas another Act passed in the Fifth Year of the Reign of His said late Majesty, intituled An Act to amend and render more effectual the several Acts for the issuing of Exchequer Bills for Public Works: And whereas another Act passed in the said last-mentioned Year, intituled An Act to amend the Acts for the Issue of Exchequer Bills for Public Works: And whereas another Act passed in the Sixth Year of His said late Majesty's Reign, intituled An Act to render more effectual the several Acts for authorizing Advances for carrying on Public Works, so far as relates to Ireland: And whereas another Act passed in the Seventh Year of the Reign of His said late Majesty, intituled An Act to amend the several Acts for authorizing Advances for carrying on Public Works, and to extend the Provisions thereof in certain Cases: And whereas another Act passed in the Seventh and Eighth Years of the Reign of His said late Majesty, intituled An Act to amend an Act of the First Year of His present Majesty, for the Advance of Money for carrying on Public Works in Ireland: And whereas another Act passed in the said last-mentioned Year, intituled An Act for the further Amendment and Extension of the Powers of the several Acts authorizing Advances for carrying on Public Works: And whereas another Act passed in the First and Second Years of His late Majesty King William the Fourth, intituled An Act to amend several Acts passed for authorizing the Issue of Exchequer Bills and the Advance of Money for carrying on Public Works and Fisheries and Employment of the Poor, and to authorize a further Issue of Exchequer Bills for the Purposes of the said Acts: And whereas another Act passed in the Third and Fourth Years of the Reign of His late Majesty, intituled An Act to amend the several Acts authorizing Advances for carrying on Public Works: And whereas another Act passed in the Fourth and Fifth Years of the Reign of His said late Majesty, intituled An Act to amend several Acts for authorizing the Issue of Exchequer Bills for carrying on Public Works and Fisheries and Employment of the Poor, and to authorize a further Issue of Exchequer Bills for the Purposes of the said Acts: And whereas sundry Advances have been made by the Commissioners appointed for the said recited Acts for the Purposes and under the Regulations in the said Acts respectively contained, and Applications have been made and are by several Acts authorized to be made to the said Commissioners for other Advances, which the Funds remaining at their Disposal are insufficient to meet; and it is therefore expedient that further Advances of Exchequer Bills*

Bills should be placed at the Disposal of the said Commissioners, for the like Purposes and subject to the like Terms and Conditions mentioned in the said recited Acts or any of them, or in any Act or Acts of Parliament having reference thereto, except so far as such Terms and Conditions may be altered or extended by this Act: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall be lawful for the Queen's most Excellent Majesty, by Warrant or Warrants under Her Royal Sign Manual, to authorize the Commissioners of Her Majesty's Treasury of the United Kingdom of *Great Britain and Ireland*, now or for the Time being, or any Three or more of them, or the Lord High Treasurer of the United Kingdom of *Great Britain and Ireland* for the Time being, to cause or direct any Number of Exchequer Bills to be made out at Her Majesty's Exchequer, in *Great Britain*, not exceeding in the whole the Sum of Five hundred thousand Pounds, in the same or like Manner, Form, and Order, and according to the same or like Rules and Directions (except where other Directions for making out the same are contained and particularly expressed in this Act), as in and by an Act passed in the Forty-eighth Year of the Reign of His Majesty King *George the Third*, intituled *An Act for regulating the issuing and paying off of Exchequer Bills*, are enacted and prescribed.

Her Majesty may authorize the Commissioners of the Treasury to issue Exchequer Bills not exceeding 500,000*l*.

48 G. 3. c. 1.

II. And be it enacted, That all the Powers, Authorities, Regulations, Clauses, Provisoes, Privileges, Advantages, Penalties, Forfeitures, and Disabilities contained in the said recited Act of the Forty-eighth Year of His said Majesty King *George the Third* shall be applied and extended to the Exchequer Bills to be made out in pursuance of this Act, as fully and effectually to all Intents and Purposes as if the said several Clauses or Provisoes had been particularly repeated and re-enacted in the Body of this Act.

Powers of recited Act 48 G. 3. c. 1. to extend to Exchequer Bills to be made out under this Act.

III. And be it enacted, That the said Exchequer Bills to be made out in pursuance of this Act shall bear an Interest not exceeding the Rate of Three-pence Halfpenny *per Centum per Diem* upon or in respect of the whole of the Money contained therein, and shall be made payable at the Periods herein-after mentioned.

Bills to bear an Interest not exceeding Three-pence Halfpenny per Cent.

IV. Provided always, and be it enacted, That the Exchequer Bills to be made out by virtue of this Act, or so many of them as shall from Time to Time remain undischarged and uncanceled after the respective Days on which they shall become due and payable, shall after that Time pass and be current to all Receivers and Collectors in *Great Britain* of the Customs, Excise, or any Revenue, Supply, Aid, or Tax whatsoever, due or payable to Her Majesty, Her Heirs or Successors, and also at the Bank of *England* to the Account of Her Majesty's Exchequer, from the said Receivers or Collectors, or from any Person or Persons, Bodies Politic or Corporate whatsoever, making any Payments there to Her Majesty, Her Heirs and Successors.

and to be current to all Receivers, &c., and at the Bank.

IV. And

Treasury to
fix Periods at
which such
Exchequer
Bills shall
be payable ;

V. And be it enacted, That from and after the passing of this Act all Exchequer Bills which at any Time after the passing of this Act shall be made out and issued in pursuance of this Act, and advanced for any of the Purposes mentioned in the said recited Acts or any of them, or in this Act, shall be made payable at such Periods as shall be fixed by the Commissioners of Her Majesty's Treasury.

and to order
Payment of
them out of
the Consoli-
dated Fund.

VI. And be it enacted, That it shall be lawful for the Commissioners of Her Majesty's Treasury to order and direct the Payment out of the Consolidated Fund of the United Kingdom of *Great Britain and Ireland*, of all Exchequer Bills issued under the Authority of this Act.

Treasury to
issue Money
to defray the
Charges of
executing
recited Acts
and this Act.

VII. And be it enacted, That it shall be lawful for the Commissioners of Her Majesty's Treasury, or any Three or more of them, or the Lord High Treasurer for the Time being in *Great Britain*, and they are hereby authorized and required, to issue or advance or cause to be issued and advanced all such Sums of Money, to such Person or Persons and in such Manner and such Proportions as the Commissioners for the Execution of the said recited Acts and this Act, or any Three or more of them, shall by Writing under their Hands desire, out of the said Consolidated Fund, which Sums so to be issued and advanced shall be employed for the Payment of Allowances and defraying all Charges and Expences in the Execution of the said recited Acts and this Act, without any other Account than before the said Commissioners of Her Majesty's Treasury, and which Money so to be issued shall not be subject to any Tax, Duty, Rate, or Assessment whatsoever imposed by Authority of Parliament.

Bank to con-
tinue the Ac-
count already
opened with
the Commis-
sioners for
executing
recited Acts.

VIII. And be it enacted, That the Governor and Company of the Bank of *England* shall and they are hereby required to continue the Account already opened in their Books with the Commissioners for the Execution of the said recited Acts under the Title of "The Commissioners for the Issue of certain Exchequer Bills," and shall carry to the Credit of such Account the several Monies directed to be paid to the Cashiers of the said Bank by the said recited Acts, as well as all Payments to be made under this Act upon such Certificates under the Hands of the said Commissioners as have been heretofore used for such Purpose, as directed by the said recited Acts, or some or one of them, in such and the like Manner in all respects as if the Clauses and Provisoos in the said recited Acts with respect to such Payments and Certificates had been repeated and re-enacted in the Body of this Act.

Money paid
into the
Bank to
make Part of
the Consoli-
dated Fund.

IX. And be it enacted, That all and every Sum and Sums of Money which shall be paid into the Bank of *England* to the Account of the said Commissioners under and by virtue of the said recited Acts and this Act shall from Time to Time, immediately on such Payments being made to the said Account, be transferred by the Governor and Company of the said Bank of *England* to the Account kept by the said Bank of *England* with Her Majesty's Exchequer, and

when so transferred shall be carried to and made Part of the Consolidated Fund of the United Kingdom of *Great Britain and Ireland*.

X. And be it enacted, That the several Persons who in and by the said recited Acts or any of them are constituted Commissioners for the Execution of the said Acts, or so many of them as shall be living at the Time of the passing of this Act, shall be and they are hereby constituted Commissioners for the Execution of the said recited Acts and this Act, and all Acts authorized by the said recited Acts and this Act to be done and executed by the said Commissioners may be done and executed by any Three or more of them.

XI. And be it enacted, That the said Commissioners named in the said recited Acts or either of them shall, before they enter upon the Execution of this Act, sign a Declaration to the following Effect:

‘ I *A.B.* do declare, That according to the best of my Judgment I will faithfully and impartially execute the several Duties, Powers, and Trusts vested in me by an Act, intituled [*insert Title of this Act*], according to the Tenor and Purport of the said Act, the Acts therein recited, and other Acts having reference thereto.’

And that such Declaration shall be kept and entered with the other Proceedings of the said Commissioners.

XII. And be it enacted, That when the Commissioners for the Execution of the said recited Acts and this Act shall have determined upon any Amount of Exchequer Bills to be advanced out of the Exchequer Bills authorized to be made out by this Act, the said Commissioners, or any Three or more of them, shall forthwith certify such Amount to the Comptroller General of Her Majesty’s Exchequer at *Westminster* for the Time being, who, on such Certificate or Certificates being deposited in his Office, shall cause and direct to be delivered to the Bearer or Bearers thereof Exchequer Bills to be prepared under the Authority of this Act to such Amount as the said Commissioners shall direct; provided the Total Amount to be issued by virtue of such Certificates shall not at any Time exceed the Amount of Exchequer Bills authorized by this Act; and every Exchequer Bill to be issued by virtue of this Act shall bear Date on the Day on which the said Certificates shall appoint and direct, and shall and may be signed by the Comptroller General of Her Majesty’s Exchequer, or in his Name by any Person duly authorized by Law to sign the same.

XIII. And be it enacted, That the Officers by whom such Exchequer Bills shall be delivered shall from Time to Time, upon Requisition of the said Commissioners for the Execution of the said recited Acts and this Act, deliver to them at their Office complete Lists of all the Exchequer Bills made out as aforesaid, specifying the respective Dates and Sums expressed therein, and the Periods appointed for the Payment of the same, and distinguishing therein the Persons to whom and the Numbers of the Certificates by virtue whereof the same were issued respectively.

Commission-
ers may ad-
vance Exche-
quer Bills to
Parties en-
gaged in
Public
Works, &c.

XIV. And be it enacted, That the said Commissioners, at any Time after the passing of this Act, may lend and advance and apportion or distribute to and amongst any Body or Bodies Politic or Corporate, or any Company or Companies of Proprietors, or Person or Persons, engaged in or desirous of carrying on or interested in any Works of a public Nature, carried on or which may hereafter be carried on under the Authority of Parliament in any Part of *Great Britain*, or for the Encouragement of the Fisheries, or the Support of any Collieries or Mines, or any Trustees or Trustee of Roads or Railways, or any other Person or Persons whomsoever, for any the Purposes mentioned in the said recited Acts or any or either of them, or this Act, all or any Part of the Sum or Sums in Exchequer Bills to be issued at any Time after the passing of this Act under the Authority of the said recited Acts or any or either of them, or this Act, upon, under, and subject to the like Terms, Conditions, and Securities as are specified and prescribed by the said recited Acts or any or either of them, or this Act; and all the Powers and Authorities, Regulations, Restrictions, Clauses, Provisoos, Privileges, Advantages, Penalties, and Forfeitures contained in the said recited Acts shall be applied and extended to all Loans advanced and Acts done by the said Commissioners or their Secretary for the Time being, or any Trustees or other Persons, or Bodies Politic, Corporate, or Collegiate, or Companies, in pursuance and execution of this Act, as fully and effectually to all Intents and Purposes as if the said several Powers, Authorities, Regulations, Restrictions, Clauses, and Provisoos, Privileges, Advantages, Penalties, and Forfeitures, had been particularly and severally and separately repeated and re-enacted in the Body of this Act, except only so far as the same are altered, amended, and enlarged by this present Act.

Powers, &c.,
of recited
Acts as to
Advances to
have the
same Force as
if re-enacted
in this Act.

XV. And be it enacted, That all the Clauses, Powers, Provisoos, Directions, Regulations, Authorities, Restrictions, Privileges, Priorities, Advantages, Penalties, and Forfeitures contained in the said recited Acts or any of them, in relation to any Advances made or to be made under the said recited Acts or any of them, or for the Recovery, Repayment, and Application of such Advances, and the Repayment thereof, and the Accounts to be kept in relation thereto, shall extend and are hereby extended and made applicable to the said Commissioners, and all other Persons, Parties, Bodies Politic or Corporate, in respect to all Advances which shall be made by the said Commissioners, and all Acts done or directed by the Commissioners of Her Majesty's Treasury, or the said Commissioners for executing this Act and the said recited Acts or either of them, under the Authority of the said recited Acts and this Act, and the Recovery, Repayment, and Application of such Advances, and of all Accounts in respect of the same, in such and the like Manner, to all Intents, Constructions, and Purposes whatsoever, as if such Clauses, Powers, Provisoos, Directions, Regulations, Authorities, Restrictions, Privileges, Priorities, Advantages, Penalties, and Forfeitures had been particularly and severally repeated and re-enacted in the Body of this Act, except only so far as the same are amended, extended, or altered by this Act.

XVI. And

XVI. And be it enacted, That it shall be lawful for the Commissioners for the Execution of the said recited Acts and this Act, whenever authorized so to do by Warrant under the Hands of the said Commissioners of Her Majesty's Treasury, by Writing under the Hands of the said Exchequer Loan Commissioners, to authorize the Cashier or Cashiers of the Bank of *England* to employ any Monies which shall be paid to the Credit of their Account in the Purchase of any Exchequer Bills, and forthwith to deliver the same to the Comptroller General of Her Majesty's Exchequer, to be cancelled.

Commissioners may authorize the Bank to purchase Exchequer Bills.

XVII. And whereas Advances have been made by the said Commissioners towards the Completion of Public Works of which the said Commissioners are now in Possession, or of which it may hereafter become necessary to take possession, and with a view to the Security of the Money already advanced and expended on such Works it is expedient that the said Commissioners should have Authority to make Advances for the Completion, Repair, or Security of such Works; be it enacted, That in all Cases in which the said Commissioners have made or shall hereafter make Advances, under the Powers of the said recited Acts or this Act, for any Work which has been or which shall be taken possession of by the said Commissioners under the Powers and Provisions of the said recited Acts, or some or one of them, it shall be lawful for the said Commissioners, with the Consent and Approbation of the Commissioners of Her Majesty's Treasurer, to make any further Advances for the Completion, Repair, Improvement, or Security of the Works so taken possession of, or of which Possession shall hereafter be taken as aforesaid, and such Advances shall be considered a further Charge on such Works, repayable, with Interest from the Time of the making of such further Advance, in such and the like Manner to all Intents and Purposes as if such further Advances had been secured by a further Mortgage of such Public Work so taken possession of, or which shall hereafter be taken possession of as aforesaid, although such further Advance may exceed the Capital authorized to be borrowed by the Parties interested in the Public Work on account of which such further Advance shall have become necessary, for any or either of the Purposes aforesaid; any Law, Statute, or Usage to the contrary thereof notwithstanding.

Commissioners may make further Advances for the Completion of certain Public Works.

XVIII. And whereas Advances have been made by the said Commissioners towards the Completion of Public Works the Completion whereof has exceeded the Sum estimated for the same, as well as the Amount of Capital authorized by any Act relating to such Work to be raised by Mortgage on the Security of the same, and it may become expedient in some Cases that the said Commissioners should be authorized to suspend the Payment of the Instalments of Principal and Interest becoming due on any Sums advanced by them, so as to enable the Parties or Persons interested therein to apply their accruing Income or other Funds which may become at their Disposal towards the Completion and Improvement thereof; be it enacted, That it shall be lawful for the said Commissioners, with the Consent and Approbation of the Commissioners of Her Majesty's Treasury, upon such Terms and Conditions for the Completion and Improvement of such Works and the Repayment of the said Instalments as shall

Commissioners may suspend Payment of Principal and Interest on Advances in certain Cases and under certain Conditions.

be

be prescribed by the said Commissioners of Her Majesty's Treasurer in that respect, to suspend for any Time not exceeding Ten Years the Payment of the Instalments of Principal and Interest which may from Time to Time become due upon any Sum advanced for any Public Work by the said Commissioners.

Construction
of certain
Words in
this Act.

XIX. And be it enacted, That the Words Commissioners of Her Majesty's Treasury, or "of the Treasury," wherever used in this Act, shall be construed to mean any Three or more of such Commissioners, or the Lord High Treasurer of the United Kingdom of *Great Britain* and *Ireland*, whenever such Office there shall be.

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ANNO PRIMO

VICTORIÆ REGINÆ.

C A P. LII.

An Act to suspend to the End of the next Session of Parliament the making of Lists and the Ballots and Enrolments for the Militia of the United Kingdom. [15th *July* 1837.]

WHEREAS it is expedient to suspend for a further Period the making of Lists and the Ballots and Enrolments for the Militia of the United Kingdom: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That all General and Subdivision Meetings relating to the Militia of the United Kingdom, and all Proceedings relating to the procuring any Returns, or preparing or making out Lists for such Militia, or any Part thereof, or relating to the balloting for or enrolling any Militiamen or Substitutes, or supplying any Vacancies in such Militia, shall cease and remain suspended until the End of the next Session of Parliament, any thing in any Act or Acts to the contrary notwithstanding.

General and Subdivision Meetings relating to the Militia suspended.

II. Provided always, and be it enacted, That it shall be lawful for Her Majesty by any Order in Council to direct that any Proceedings shall be had, at any Time before the Expiration of such Period as aforesaid, either for the giving of Notices and making Returns and preparing Lists, and also for the proceeding to ballot and

Proceedings may be had during such Suspension by Order in Council.

and enrol Men for the filling up Vacancies in the Militia of the United Kingdom or any Part thereof, as Her Majesty shall deem expedient; and upon the issuing of any such Order all such Proceedings shall be had for carrying into execution all the Provisions of the Acts in force in *England*, *Scotland*, and *Ireland* respectively relating to the giving Notices for and Returns of Lists, and for the balloting and enrolling of Men to supply any Vacancies in the Militia, and holding General and Subdivision Meetings for such Purpose, at such Time respectively as shall be expressed in any such Order in Council, or by any Directions given in pursuance thereof to the Lord Lieutenant or Deputy Lieutenants acting for Lord Lieutenants of the several Counties, Shires, Ridings, Cities, and Places in *Great Britain*, or to the Governors and Deputy Governors of Counties and Places in *Ireland*, or to the Warden and Special Deputy Wardens of the Stannaries; and all the Provisions of the several Acts in force in *England*, *Scotland*, and *Ireland* respectively relating to the Militia and Corps of Miners of *Cornwall* and *Devon* shall upon any such Order, and Direction given in pursuance thereof, become and be in full force and be carried into execution at the Period specified in such Order or Direction as aforesaid, with all such Penalties and Forfeitures for any Neglect thereof, as fully as if such Periods had been fixed in the Acts relating to such Militia and Miners.

Act to extend to Wardens of Stannaries and to Corps of Miners.

III. And be it enacted, That this Act, and all the Clauses, Provisions, Directions, and Authorities therein contained, shall be construed to extend to the Warden and Special Deputy Wardens of the Stannaries, and Corps of Miners of *Cornwall* and *Devon*, as fully as if they were respectively and severally repeated in every such Clause, Provision, Direction, and Authority.

LONDON: Printed by GEORGE EYRE and ANDREW SPOTTISWOODE,
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ANNO PRIMO

VICTORIÆ REGINÆ.

C A P. LIII.

An Act to explain and amend an Act of the Sixth and Seventh Years of His late Majesty, for extinguishing the Secular Jurisdiction of the Archbishop of *York* and the Bishop of *Ely* in certain Liberties in the Counties of *York*, *Nottingham*, and *Cambridge*. [15th July 1837.]

WHEREAS by an Act passed in the last Session of Parliament, intituled *An Act for extinguishing the Secular Jurisdiction of the Archbishop of York and the Bishop of Ely in certain Liberties in the Counties of York, Nottingham, and Cambridge*, it was amongst other things enacted, that all the Secular Authority of the Bishop of *Ely* in the *Isle of Ely* in the County of *Cambridge*, and all Authority of the Chief Justice of *Ely*, theretofore appointed by the Bishop of *Ely*, should, from and after the passing of the said Act, cease and determine, and all the Secular Authority of the said Bishop should become and be vested in His late Majesty, His Heirs and Successors; provided always, that nothing therein contained should prevent any Justice of the Peace then acting for the said *Isle* from continuing to act as such within the Limits of the said

said Jurisdiction as if the said Act had not been passed ; and it was further enacted, that the County Rates for the said *Isle of Ely* should remain, as theretofore, distinct from the Rates for the rest of the County of *Cambridge*, and should be assessed and levied, and paid and applied, by and under the Order and Direction of the Justices of the Peace for the said *Isle*, as if the same were a separate County, but in all other respects under the same Regulations as were applicable to the Rates of other Counties in *England* ; and it was further enacted, that no Person should, from and after the passing of the said Act, be committed to the Gaol at *Ely*, but all Persons who, if the said Act had not passed, might have been committed to or confined in such Gaol, might be committed to and confined in the Gaol at *Cambridge*, and the Justices of the said *Isle of Ely* should have full Power to commit to the said Gaol at *Cambridge*, and all Persons who at the Time of the passing of the said Act should be confined in the said Gaol at *Ely* should, as soon as might be after the passing of the said Act, be delivered up by the Keeper of the said Gaol at *Ely* to the Keeper of the said Gaol at *Cambridge*, together with the Warrant or Instrument under or by virtue whereof every such Person should be then detained in Custody, and the Keeper of the said Gaol at *Cambridge* should receive and detain such Persons in Custody in the same Way as if such Persons had originally been committed to his Custody : And whereas the Gaol for the County of *Cambridge* is not locally situate within the Town or Borough of *Cambridge*, but is situate near thereto, and within the Parish of *Chesterton* in the same County, and there is a Gaol for the said Town or Borough which is situate within the Precincts of the same : And whereas it is desirable to prevent any Doubt as to the Meaning of the said recited Act in regard to the Gaol to which Persons should be committed and removed from the said *Isle of Ely*, and to declare that by the Gaol at *Cambridge* mentioned in the said Act the Gaol for the County of *Cambridge* for the Time being was meant and intended : And whereas by the Committal of Prisoners from the said *Isle of Ely* to the said County Gaol, and the keeping and maintaining such Prisoners there, considerable Expence will be occasioned to the said County of *Cambridge*, and in consequence thereof it may be necessary to enlarge the said Gaol for the County of *Cambridge* ; and it is therefore expedient that all Expences already occasioned or which may hereafter be occasioned thereby, as well as from the Prosecution, Trial, Punishment, Conveyance, and Transport of such Prisoners, should be charged on the said Rates for the said *Isle of Ely* : Be it therefore declared and enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That by the Gaol at *Cambridge* mentioned in the herein-before recited Act was meant and intended the Gaol for the said County of *Cambridge* situate at *Chesterton* in the same County ; and that all Persons who if the said recited Act had not passed might have been committed to or confined in the Gaol at *Ely* may be committed to and confined in the Gaol for the Time being of the said County of *Cambridge*, and that all Justices who if the said Act had not been passed might have committed

Gaol referred to in recited Act declared to be the County Gaol; and Ely Prisoners may be committed to the County Gaol for the Time being.

committed to the Gaol of the said *Isle of Ely* shall have full Power to commit to the Gaol for the Time being, of the said County of *Cambridge*.

II. And be it enacted, That it shall be lawful for all Judges, Justices, and others acting under any Commission of Gaol Delivery to direct that any Person who shall have been committed for any Crime from the said *Isle of Ely*, and who shall thereupon be convicted and sentenced to Imprisonment, shall be imprisoned either in the Gaol or House of Correction of the said County of *Cambridge*, or in any other Gaol or House of Correction at *Ely* or *Wisbeach*, or elsewhere in the said *Isle of Ely*.

As to the Imprisonment of Persons convicted of Crimes in the *Isle of Ely*.

III. And be it enacted, That all Expences already incurred or which may hereafter be incurred under or by virtue of the said recited Act by the Committal of Persons from the said *Isle of Ely* to the Gaol for the said County of *Cambridge*, and of the keeping and Maintenance of such Persons there, and also of the Prosecution, Trial, Punishment, Conveyance, and Transport of such Prisoners, and all other Expences occasioned by their being kept and detained in such Gaol, or by the consequent and necessary Increase of Turnkeys and other Attendants, or the Alteration or Enlargement of the said Gaol, and also a due Proportion of the Expences of the necessary Repairs of the said Gaol, and of the general Expences of the Establishment thereof for the Time being, shall be paid and satisfied out of the said Rates for the said *Isle of Ely*; and (Notice in Writing of the Amount of such Expences being given or transmitted by Post by the Clerk of the Peace for the said County to the Clerk of the Peace for the said *Isle* half-yearly, specifying the Time at which the same are required to be paid,) the Justices of the Peace for the said *Isle* shall from Time to Time assess and levy the Amount of such Expences, and use and exercise all Powers, Authorities, and Methods in regard thereto, in the same Manner as they are and shall be empowered by Law to assess and levy County Rates, or Rates in the Nature of a County Rate, within the said *Isle* for other Purposes; and the Amount of such Expences shall from Time to Time be paid by the Treasurers for the said *Isle*, or One of them, to the Treasurer for the said County, to be applied to the Satisfaction of all such Expences accordingly; and such last-mentioned Treasurer shall be accountable for the same in the same Manner as for other County Rates received by him: Provided always, that no Enlargement of the said Gaol shall be made until Notice of such proposed Enlargement shall be given by the Clerk of the Peace for the said County to the Clerk of the Peace for the said *Isle*, nor until the Expediency of such Enlargement shall have been submitted to the Consideration of and shall have been agreed to by a joint Committee of Six Justices of the Peace for the said County and *Isle*, to be appointed at the General or Quarter Sessions of the Peace to be holden for the said County and *Isle* respectively next after such Notice in the Manner provided.

Expences payable by the *Isle of Ely*.

IV. And

Settlement
of Expences,

IV. And be it enacted, That if at any Time hereafter the Justices of the Peace for the said Isle shall refuse to make, assess, and levy a Rate for defraying any such Expences as aforesaid, (and the Nonpayment thereof by the Time to be specified in such Notice shall be construed to be a Refusal to make, assess, and levy such Rate,) the Justices of the Peace for the said County and Isle respectively shall, at the respective General or Quarter Sessions which shall be holden in and for the County and in and for the Isle next after such Refusal respectively, appoint Six Justices of the Peace for the County and for the Isle in manner herein-after mentioned, that is to say, the Justices of the Peace for the said County shall at such Sessions appoint Three Justices of the Peace for the said County, and the Justices of the Peace for the said Isle shall at such Sessions appoint Three Justices of the Peace for the said Isle; which Justices of the Peace so to be respectively appointed as aforesaid are hereby required to meet, at such Time as shall be fixed for the Purpose by the Chairman of such General or Quarter Sessions for the said County, at the Gaol for the said County, and of which Time of meeting Notice in Writing shall be given or transmitted by Post by the Clerk of the Peace for the said County to the County Justices so to be appointed, and by the same Clerk of the Peace to the Clerk of the Peace for the said Isle, who shall give or transmit the same by Post to the Isle Justices so to be appointed; and the Justices of the Peace so to be appointed as aforesaid, or the major Part of them then and there assembled (such major Part not being less than Five in Number), shall hold a Special Sessions at the said Gaol for the Purpose of ascertaining and settling whether any and what Expences are chargeable in respect of any of the Matters aforesaid on the Rates of the said Isle, and the Proportion of Expences in respect of any of the said Matters which ought to be borne by the said County and Isle respectively; and the Clerk of the Peace for the said County shall attend such Special Sessions, and keep a Record of the Proceedings there, which Record shall be Evidence thereof; and the Sum or Sums which at any such Special Sessions as aforesaid shall be declared to be chargeable on the said Isle under this Act, shall be levied and raised in manner aforesaid.

Justices of
the Peace for
the Isle of
Ely to possess
the same
Powers as
Justices for
Counties.

V. And be it enacted, That all Justices of the Peace acting in and for the said *Isle of Ely* shall from and after the passing of this Act have and possess and may exercise all such and the same Rights, Privileges, Powers, and Authorities whatsoever within the said *Isle of Ely* as any Justice of the Peace acting in and for any County, Riding, or Division now hath or possesses or may exercise in such County, Riding, or Division.

Mutual
Powers given
to Justices of
the Peace for
the County

VI. And be it enacted, That it shall and may be lawful from and after the passing of this Act for any Justice of the Peace acting in and for the said County of *Cambridge*, and he is hereby authorized, to issue under his Hand and Seal any Warrant or Warrants for the

Apprehension of any Person or Persons residing or being within the said *Isle of Ely*, charged on Oath before him the said Justice with any Felony or Misdemeanor committed in the said County of *Cambridge*, and in like Manner for any Justice of the Peace acting in and for the said *Isle of Ely*, and he is hereby authorized, to issue under his Hand and Seal any Warrant or Warrants for the Apprehension of any Person or Persons residing or being within the said County of *Cambridge*, charged on Oath before him the said last-mentioned Justice with any Felony or Misdemeanor committed in the said *Isle of Ely*; and the Constables or Constable or other Person to whom any such Warrant or Warrants shall or may be addressed or directed are and is hereby authorized to apprehend and take any such Person or Persons so charged on Oath as aforesaid (and whose Name or Names shall be inserted in such Warrant or Warrants) with any such Felony or Misdemeanor committed in the said County of *Cambridge* or in the said *Isle of Ely*, without Indorsement of such Warrant or Warrants by any Justice of the Peace of the said County of *Cambridge* or of the said *Isle of Ely*.

and for the
Isle to apprehend Offenders out of their respective Limits.

VII. And whereas Doubts have arisen whether the *Isle of Ely* is included in Enactments made in several Statutes respecting Counties, Ridings, or Divisions; be it therefore enacted, That under such Statutes heretofore passed or hereafter to be passed the *Isle of Ely* shall be deemed and taken to be a Division of a County.

Isle of Ely
to be a Division of a County.

VIII. And whereas the Townships of *Feliskirk* and *Sutton-under-Whitstonecliffe*, in the Parish of *Feliskirk* and Townships of *Kilburn* and *Marton Lordship*, in the County of *York*, are locally situated within the North Riding of the said County, and yet for certain Purposes are esteemed to be within the Liberty of *Ripon* in the said County, heretofore Part of the Secular Jurisdiction of the Archbishop of *York*: And whereas by the said Act of the last Session of Parliament it was amongst other things enacted, that all the Secular Jurisdiction of the said Archbishop of *York* in the said Liberty of *Ripon* should from and after the passing of the said Act cease and determine, and should become and be transferred to and vested in His said late Majesty, His Heirs and Successors: And whereas the said Townships are distant upwards of Fourteen Miles from *Ripon* aforesaid, and it is highly expedient that the said Townships should be entirely separate and distinct from the said Liberty of *Ripon*; be it therefore enacted, That from and after the passing of this Act, the said Townships of *Feliskirk* and *Sutton-under-Whitstonecliffe*, and the said Townships of *Kilburn* and *Marton Lordship*, be absolutely removed and separated out of and from the said Liberty of *Ripon*, and out of and from the Jurisdiction thereof, and become Parts of the said North Riding, to all Intents and Purposes whatsoever, and be solely within the Jurisdiction of the said North Riding; any Custom or Usage to the contrary thereof in anywise notwithstanding.

Certain Townships to be separated from the Liberty of *Ripon* and become Parts of the North Riding.

Act may be
repealed or
altered.

IX. And be it enacted, That this Act may be repealed or altered by any other Act in this present Session of Parliament.

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ANNO PRIMO

VICTORIÆ REGINÆ.

C A P. LIV.

An Act to provide more effectual Means to make
Treasurers of Counties and Counties of Cities in
Ireland account for Public Monies, and to secure
the same. [15th July 1837.]

WHEREAS it is expedient to make further Provisions for
the more effectual Audit of the Accounts of Treasurers of
Counties and Counties of Cities and Towns in *Ireland*,
and for securing a due Application of Grand Jury Cess: Be it there-
fore enacted by the Queen's most Excellent Majesty, by and with
the Advice and Consent of the Lords Spiritual and Temporal, and
Commons, in this present Parliament assembled, and by the Authority
of the same, That the Accounts of the said several Treasurers of
Counties and Counties of Cities and Towns shall, from and after the
Commencement of this Act, be from Time to Time audited and
declared by such Officer as the Lord Lieutenant or other Chief
Governor or Governors in *Ireland* shall from Time to Time by War-
rant authorize to audit and declare the same; and the said Treasurers
shall make out their Accounts in such Form as the said Officer shall
direct, and shall transmit the same to him, together with proper
Vouchers for their Receipts and Payments, within such Time as the
Lord Lieutenant in Council shall by such Rules and Orders as are
herein-after mentioned appoint; and the first Account which shall be
rendered by each Treasurer as aforesaid shall commence with the

Accounts of
Treasurers
to be audited
by Officer
appointed
by the Lord
Lieutenant
of Ireland.

Balance due by him or to him on the last Account which he shall have passed according to Law before the Commencement of this Act: Provided nevertheless, that it shall be lawful for each such Officer as aforesaid to inquire, in any Case in which he shall deem it necessary so to do, whether any Sum or Sums for which such Treasurer shall have had Credit in any Account heretofore passed by him as or for any Payment or Disbursement by him was duly paid or disbursed; and if he shall find that it was not, it shall be lawful for him to charge such Treasurer with the Amount thereof; and the said Officer, after examining each Account rendered to him as aforesaid, with the Documents annexed thereto, shall settle and declare the same, and shall lodge such Account when so settled and declared with the Clerks of Her Majesty's Privy Council in *Ireland*, who shall transmit One Copy thereof to the Treasurer whose Account it is, and One other Copy to the Clerk of the Crown of the County for which he acts; and the said Clerk of the Crown shall cause the same to be printed and published in such Manner as shall be directed by such Rules and Orders as herein-after mentioned; and from and after the First Day of *September* One thousand eight hundred and thirty-seven it shall not be necessary for the said Treasurers to account to or before any other Person or Body.

The Duty of auditing such Accounts may be annexed to any existing Office, with the Consent of the Person holding the same.

II. And be it enacted, That it shall be lawful for the said Lord Lieutenant or other Chief Governor or Governors of *Ireland* to annex the Duty of auditing the said Accounts to any existing Office, by and with the Consent of the Person holding the same, and thereupon to regulate such Office and any other Office or Offices which it may be necessary to regulate therewith, provided the Person or Persons holding the same shall consent thereto, and the future Powers and Duties of any Office so regulated shall be such as shall be assigned to it in and by such Regulations as the said Lord Lieutenant or other Chief Governor or Governors shall by Warrant signed by him or them make in that Behalf, and any Provisions or Enactments theretofore made touching such Office shall thenceforth cease and be repealed, save as to any Act or Acts theretofore done and any Right or Rights now enjoyed by virtue of any such Provision or Enactment: Provided always, that nothing herein contained or which shall be done by virtue hereof shall extend to alter or affect the Tenure by which any such Office as aforesaid is now holden, or any Salary, Fees, or Emoluments now appertaining thereto, or any Right now vested in Her Majesty to grant any Annuity to any Person upon his resigning the same.

Power to Auditor to examine Treasurers and summon Witnesses.

III. And be it enacted, That it shall be lawful for the said Officer to call before him and examine each Treasurer upon the Matter of his Account, and also any other Person whom he may deem it necessary to examine on the Matter thereof, the Expence of the Attendance of such Treasurer or other Person being defrayed out of the Funds herein-after mentioned, to the Extent that shall be approved of by the said Officer and not otherwise; and it shall be lawful for him to examine such Treasurer or other Person upon Oath; or if such Treasurer or other Person shall refuse to be sworn, or if such Officer shall think fit for any other Reason so to do, it shall be lawful for him to require

require such Treasurer or other Person to make and subscribe a Declaration in Writing of the Truth of what he shall state upon any such Examination; and if any such Treasurer or other Person shall wilfully give false Testimony before the said Officer, or wilfully make and subscribe a false Declaration, he shall on being convicted thereof suffer the Pains and Penalties of Perjury; and it shall be lawful for such Officer to compel the Attendance of any Witness before him by a Subpœna ad testificandum or a Subpœna duces tecum, and which Subpœna shall be issued by the Secondary of the Court of Exchequer by his Direction; and any Person omitting to obey such Subpœna shall be deemed guilty of a Contempt of the said Court, and, upon Complaint by or on behalf of Her Majesty's Attorney General, shall be punishable in the said Court accordingly.

IV. And be it enacted, That it shall be lawful for the said Lord Lieutenant of *Ireland* in Council to make such Rules or Regulations as to the said Lord Lieutenant in Council shall seem fit for regulating the Audit of the said Accounts, and for causing each Treasurer to open a Public Account with the Bank of *Ireland* or such Bank as the Grand Jury of the respective Counties shall appoint, and for causing any Balance which shall be from Time to Time found due by him to be paid into the said Bank by him to the Credit of the said Account; and for restricting all Collectors of Grand Jury Cess from making any Payments to him otherwise than by lodging such Monies as shall be from Time to Time in their Hands respectively in such Bank to the Credit of his said Account, and for causing all Monies which shall be raised by virtue of any Sequestration or *Levari facias* which may be issued against him as herein-after mentioned to be also paid into such Bank to the Credit of his said Account, and also for regulating the Manner in which any Monies which shall be from Time to Time standing to the Credit of such Account shall be drawn out by him, so as to provide that each Payment to be made by him, where the Sum shall exceed Ten Pounds, shall be paid by a Draft on the said Bank in favour of the Person entitled to receive the same, and that each Draft shall be so countersigned, and shall contain such Specification of the Purposes for which the same shall be drawn as to the said Lord Lieutenant in Council shall seem expedient, and so as also to provide that no Treasurer shall be authorized to draw any Money out of the said Bank unless by a Draft in favour of a Person entitled to receive the Amount thereof under some Grand Jury Presentment, or by some Order made upon such Treasurer according to Law, and which shall be countersigned as aforesaid, save by and with the express Authority of such Officer as aforesaid, and which Authority it shall be lawful only for him to give for the Purpose of enabling such Treasurer to pay to himself any Balance which may be due to him on any Account which shall be settled and declared as aforesaid, or for the Purpose of enabling such Treasurer to have from Time to Time in his Hands sufficient Money for the Discharge of Demands not exceeding each the Sum of Ten Pounds.

Lord Lieutenant to make Regulation for auditing Accounts and for securing Balances.

V. And be it enacted, That if any such Treasurer shall neglect to render such Accounts and Vouchers as aforesaid, or to attend and be examined before such Officer as aforesaid, when his Attendance shall be

If Treasurer make default in accounting,

Sequestration to issue. be required before him, it shall be lawful for the said Officer to certify his Default to the Secondary of Her Majesty's Court of Exchequer in *Ireland*, who shall thereupon issue Her Majesty's Writ of Sequestration against such Treasurer; and the same shall not be discharged until said Treasurer shall have duly accounted and paid his Balance, pursuant to such Rules and Orders as aforesaid; and all Sums received by the Sequestrators in the meantime by virtue of the said Sequestration shall, after deducting their Fees, be paid by them into the Bank of *Ireland* to the Credit of the said Treasurer's Account.

Treasurer to produce Bank Receipts for Balances. Proceedings in case of Default. VI. And be it enacted, That it shall be the Duty of every such Treasurer as aforesaid to produce or transmit to the Officer by whom his Account shall have been settled and declared as aforesaid, within such Time after the Settlement of each Account as shall be specified by such Rules or Orders as aforesaid, the Receipt of such Bank as aforesaid for any Balance by him payable into the said Bank as aforesaid; and if any such Treasurer shall omit so to do, it shall be the Duty of the said Officer to certify the Default of such Treasurer to the said Secondary, who shall thereupon issue Her Majesty's Writ of *Levari facias* against such Treasurer for recovering the Amount of such Balance with Costs, and with Interest on such Balance at the Rate of Six Pounds *per Centum per Annum* until the same shall be levied; and the Sum levied under such Writ of *Levari facias* as aforesaid shall be paid into the said Bank to the Credit of such Account as aforesaid, and the Sheriff or Sheriffs to whom the same shall be directed shall make a Return thereof to the said Officer, within such Time as shall be specified by such Rules and Orders as aforesaid.

Balances to vest in Treasurer's Successor in Office in case of Death. VII. And be it enacted, That upon the Death, Removal, or Resignation of any such Treasurer as aforesaid, the Balance at such Bank as aforesaid to the Credit of such Treasurer shall vest in his Successor, and shall not be deemed the Property of such late Treasurer, or be in any Manner subject to his Control, or that of his personal Representative.

If Sheriff neglect to execute a *Levari* he shall be amenable to the Exchequer as a defaulting Officer. VIII. And be it enacted, That if any Sheriff or Sheriffs shall neglect duly to execute any *Levari facias* or Warrant which shall be issued to him or them as aforesaid, or to pay the Sum levied thereupon as hereby directed, such Sheriff or Sheriffs shall be amenable for his Neglect to the said Court of Exchequer, and the said Court may deal with him as with a defaulting Officer of the said Court; and it shall be the Duty of Her Majesty's Attorney General, upon having the Neglect of such Sheriff certified to him in such Manner as shall be prescribed by such Rules and Orders as aforesaid, to proceed against such Sheriff or Sheriffs in the said Court as the Exigency of the Case shall require.

Recognizances to continue in force. IX. And be it enacted, That all Bonds or Recognizances heretofore entered into, and all Investments in Government Funds or Securities heretofore made for securing the due Performance of the Duties appertaining to such Treasurers and Collectors as aforesaid, shall

shall continue in full Force and be deemed and taken to be conditioned or made for the due Performance of all Duties appertaining to such Officers respectively under or by virtue of the Provisions of this Act.

X. Provided always, and be it enacted, That so soon as any such Treasurer as aforesaid shall have passed his first Account before such Officer as aforesaid, and shall have paid the Balance due by him thereupon into such Bank as aforesaid, and shall have entered into such new Security as herein-after mentioned, it shall be lawful for such Officer as aforesaid and he is hereby required to give to such Treasurer a Certificate thereof, whereupon the Recognizances theretofore entered into by himself and his Sureties shall be vacated or discharged, or the Funds or Securities which shall have been substituted for such Recognizances shall be transferred to him, upon his applying to the Court of Chancery in *Ireland* by Motion for that Purpose.

Treasurer
entitled to
Certificate
upon passing
first Ac-
count.

XI. And be it enacted, That it shall be lawful for the said Lord Lieutenant in Council to direct that every such Treasurer as aforesaid shall enter into such new Security for the due Performance of his Duties, by himself and Two or more Sureties, by Recognizance in the Court of Exchequer, to such Amount as the said Lord Lieutenant in Council shall approve, or in lieu thereof shall make such Investment in Government Stocks or Securities as is now authorized by an Act passed in the Fourth Year of the Reign of His Majesty *George* the Fourth, intituled *An Act to make more effectual Regulations for the Election, and to secure the due Performance of the Duties, of County Treasurer in Ireland.*

Treasurer to
give Secu-
rity for the
due Per-
formance of
his Duties.

4 G. 4. c. 33.

XII. And be it enacted, That in every Case where the Treasurer of a County has not heretofore invested Money in Government Funds or Securities, under the Provisions of said recited Act, as a Substitute for the Recognizances of himself and Sureties, and where such Treasurer shall be desirous to have the Recognizances of himself and his Sureties discharged, it shall be lawful for such Treasurer, after the passing of this Act, to apply to the Court of Chancery by Motion, upon Notice to the Attorney General, and to obtain an Order that the said Treasurer shall be at liberty to invest in Government Securities or Funds, in the Manner prescribed by said recited Act, such Sum of Money as shall be equal to the Sum secured by the Recognizances of such Treasurer and his Sureties; and upon the said Treasurer investing such Sum as shall be thereupon ordered by the said Court, and upon his producing a Copy of said Order, and a Certificate from the Accountant General of said Court that the said Treasurer has made such Lodgment, the Recognizances of said Treasurer and of his Sureties shall be discharged by the proper Officer of the Court of Exchequer: Provided nevertheless, that it shall be lawful for such Treasurer, having made such Investment at any Time afterwards, to proceed to have the Funds and Securities so invested re-transferred to him in like Manner as he would be enabled by this Act to proceed to have same re-transferred to him if they had been originally invested in lieu of the Recognizances of himself and his Sureties under the Provisions of said recited Act.

Treasurer
may apply
to the Court
of Chancery
for Order to
invest in
Government
Securities a
Sum equal
to his Re-
cognizances.

Accounts to
be final,
unless upon
Appeal.

XIII. And be it enacted, That the Settlement and Declaration of each Treasurer's Account as aforesaid shall be final and conclusive, unless the Treasurer whose Account it is, or such Person or Persons on behalf of the County to which it relates as shall be authorized by the said Rules and Orders so to do, shall present a Petition to the said Lord Lieutenant in Council, within such Time as shall be prescribed in and by the said Rules and Orders, praying that the same may be altered in such Particulars as shall be stated in such Petition; and it shall be lawful for the said Lord Lieutenant in Council to make such Order thereupon as shall be just; and the Account, as declared and settled as aforesaid, shall be affirmed or altered as by the said Lord Lieutenant in Council shall in and by such Order direct; and such Order shall be final and conclusive to all Intents and Purposes whatsoever.

Balances
may be in-
vested in
Exchequer
Bills.

XIV. And be it enacted, That it shall be lawful for such Officer as aforesaid and he is hereby required to cause any Balance which shall be at any Time standing in Bank as aforesaid to the Credit of any such Treasurer's Account as aforesaid to be laid out in the Purchase of Exchequer Bills; and such Bills shall be deposited in such Place as the Lord Lieutenant in Council shall by the aforesaid Rules and Regulations direct, and shall be from Time to Time sold as Occasion shall require, and the Produce thereof, together with the Interest accruing thereon, shall be placed to the Credit of the said Account; and every such Bank as aforesaid is hereby required to give to the said Officer any Information which he may from Time to Time require from them touching any such Treasurer's Account as aforesaid.

Treasurer
to receive
Interest due
upon Ex-
chequer
Bills.

XV. Provided always, and be it enacted, That every such Treasurer as aforesaid who is now in Office, and no other, shall have and receive, out of the Interest which shall become due and payable upon the Exchequer Bills purchased by the Monies due on Foot of his Account, such Sum as shall be equal annually to One Half the Amount of the Salary heretofore appertaining to his Office in case such Interest shall amount thereto; and if not, that he shall be entitled to have and receive the Amount of such Interest, whatever the same may be.

Grand Jury
to specify
Portion of
Interest re-
ceivable by
Treasurer.

XVI. And be it further enacted, That in case it shall appear to the Grand Jury of any County, County of a City or Town, that the present Treasurer ought to receive out of the Interest of said Exchequer Bills a larger Amount than One Half of his present Salary, it shall and may be lawful for such Grand Jury to pass a Resolution specifying the Amount of the Sum which it shall appear to them such Treasurer ought to receive out of such Interest; and upon such Resolution being approved of by the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, such Treasurer shall receive such Sum out of said Interest if the same shall be sufficient for that Purpose.

Providing
for Expences
to be in-

XVII. And, in order to provide for the Expences which may be incurred in the Execution of this Act, be it enacted, That it shall be lawful

lawful for the said Lord Lieutenant of *Ireland* in Council, in and by such Rules and Orders as aforesaid, to direct that a Fee, not exceeding Five Shillings on every Hundred Pounds to which the Debit Side of any such Treasurer's Account as aforesaid shall amount, shall be paid by such Treasurer in the same Manner as any other Presentment; and the Fees so payable shall be received and accounted for in such Manner as the said Lord Lieutenant in Council shall by such Rules and Orders as aforesaid direct; and the same shall constitute a Fee Fund, which it shall be lawful for the said Lord Lieutenant in Council to charge with the Payment of any Salary or Disbursement which the said Lord Lieutenant in Council shall deem necessary for the Purposes of this Act; and the Amount of such Fee as aforesaid shall be levied off each County by Grand Jury Presentment.

curred in the Execution of this Act.

XVIII. And be it enacted, That Copies of all such Rules and Orders as aforesaid shall be laid before both Houses of Parliament within Ten Days after the same shall have been promulgated, if they shall be then sitting, and if not, within Ten Days after they shall next meet.

Copies of Rules and Orders to be laid before Parliament.

XIX. And be it enacted, That Accounts shall be kept of the Produce of the said Fee Fund, and of all Charges thereupon, and Payments made thereon; and Copies thereof shall be annually laid before Parliament.

Accounts to be kept of Produce of Fee Fund.

XX. And whereas immediately before the Assizes holden for the County of *Clare* in the Month of *July* of the present Year the Lords Justices of *Ireland* directed the Collectors of the Grand Jury Cess in said County not to pay to the Treasurer of said County the Sums levied by them and payable by them at said Assizes; be it enacted, That it shall and may be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland* to give Directions that the said Sums so levied by the said Collectors, and which have not been paid to said Treasurer, shall be applied to discharge the several Demands to which the same would have been applicable in the Hands of said Treasurer if the same had been paid to him; and it shall and may be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland* to make such Orders respecting said Sums as he or they shall deem expedient, in order to cause said Sums to be applied as aforesaid; and the said several Collectors and all other Persons concerned are hereby commanded to obey and give Effect to such Orders.

Lord Lieutenant to direct Application of Grand Jury Cess in County of Clare.

XXI. And be it enacted, That this Act may be varied or altered during the present Session of Parliament.

Act may be altered this Session.



ANNO PRIMO

VICTORIÆ. REGINÆ.

C A P. LV.

An Act for better regulating the Fees payable to
Sheriffs upon the Execution of Civil Process.

[15th July 1837.]

WHEREAS it is expedient to amend the Laws relating to the Fees payable to Sheriffs, Under Sheriffs, Deputy Sheriffs, Sheriffs Agents, Bailiffs, and others the Officers or Ministers of Sheriffs in *England* and *Wales*, and to give the Courts of Record at *Westminster Hall* a due Control over such Fees; and also to provide a summary Remedy against such Officers and others as shall extort or receive other or greater Fees than by Law they shall be entitled to: And whereas divers Enactments touching the said Officers, contained in certain ancient Statutes, have become inconvenient, and ought to be repealed: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That so much of an Act passed in the Forty-second Year of His late Majesty King *Edward* the Third, intituled *Estreats shall be shewed to the Party indebted, and that which is paid shall be totted: no Sheriff, et cætera, shall continue in Office above a Year*, as relates to the Time during which Under Sheriffs and Sheriffs Clerks may abide in their respective Offices; also an Act passed in the First Year of the Reign of His late Majesty King *Henry* the Fifth, intituled *Sheriffs Bailiffs shall not be in the same Office in Three Years*

Part of
42 Ed. 3. c. 9.

the Act
1 Hen. 5. c. 4;

after:

and Part of
23 Hen. 6.
c. 9.

repealed.

after : Sheriffs Officers shall not be Attornies ; and also so much of an Act passed in the Twenty-third Year of the Reign of His late Majesty King Henry the Sixth, intituled No Sheriff shall let to farm his County or any Bailiwick : the Sheriffs and Bailiffs Fees and Duties in many Cases, as relates to the Fees to be taken by Sheriffs, Under Sheriffs, Sheriffs Clerks, and other Officers and Ministers of Sheriffs, be and the same are hereby repealed.

Sheriffs to
take only
such Fees as
are allowed
by Taxing
Officer of
Courts of
Law at
Westminster.

II. And be it enacted, That from and after the passing of this Act it shall be lawful for Sheriffs, or their Officers concerned in the Execution of Process directed to Sheriffs, to demand, take, and receive such Fees, and no more, as shall from Time to Time be allowed by any Officer of the several Courts of Law at *Westminster* charged with the Duty of taxing Costs in such Courts, under the Sanction and Authority of the Judges of the said Courts respectively.

To prevent
Officers
taking Fees
not allowed
or greater
Fees than
are allowed ;

III. And be it enacted, That any Sheriff, Officer, or Minister acting in the Execution of Process directed to any Sheriff or Sheriffs, or engaged or concerned therein, who shall extort, demand, take, accept, or receive from any Person or Persons any Fee or Fees, Gratuity, or Reward not allowed as aforesaid, or greater in Amount than as allowed as aforesaid, such Sheriff, or other his Officer or Minister, upon Complaint thereof made against him to any of the said Courts, and on Proof being made thereof upon Oath, either by the Examination of Witnesses *viva voce*, or on Affidavits, or on Interrogatories, to the Satisfaction of the Court to which the said Complaint shall be made, that such Sheriff, Officer, or Minister, as the Case may be, hath offended therein as aforesaid, then and in such Case every such Sheriff, Officer, or Minister, as the Case may be, shall be adjudged guilty of a Contempt of such Court, and punished by such Court accordingly ; and if any Person, not being such Officer or Minister as aforesaid, shall assume or pretend to act as such, and shall extort, demand, take, accept, or receive any Fee or Fees, Gratuity, or Reward under colour or pretext of such Office, he shall, on like Complaint and Proof, be in that Respect dealt with by the Court in like Manner.

and other
Persons from
taking any
Fees.

Court may
award Costs.

IV. And be it enacted, That in all Cases of summary Complaints as aforesaid the Court before which such Complaint shall be preferred may at its Discretion award the Costs of or occasioned by such Complaint to be paid by either Party to the other ; such Costs to be taxed by the Master of such Court : Provided always, that no such Complaint shall be entertained unless made before the last Day of Term next following the Act whereof Complaint is made.

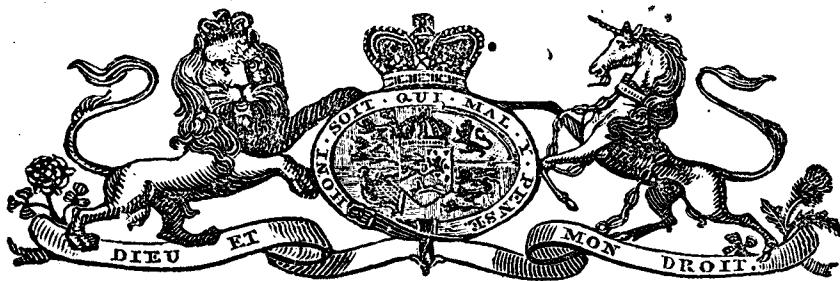
Fees to the
the Sheriffs
of Lancashire
and Durham.

V. And be it enacted, That from and after the passing of this Act the Sheriffs of *Lancashire* and *Durham*, and their Officers, shall have and be entitled to the like Fees, and no more, upon Process issuing out of the Court of Common Pleas at *Lancaster* and out of the Court of Pleas at *Durham* respectively as from Time to Time shall be allowed under the Authority of this Act to Sheriffs upon Process issuing from the Superior Courts at *Westminster* ; and that

the said Court of Common Pleas at *Lancaster* and Court of Pleas at *Durham* respectively, or any Judge thereof respectively, being also Judge of one of the Superior Courts at *Westminster*, shall have the same Powers in every Particular, with respect to Offences against this Act upon Process issuing out of the said Court of Common Pleas at *Lancaster* and Court of Pleas at *Durham* respectively, as are herein-before given to the Courts at *Westminster* respectively in respect of Process issuing from those Courts.

VI. And be it enacted, That this Act may be amended, altered, or repealed by any Act to be passed in the present Session of Parliament. Act may be altered this Session.

LONDON: Printed by GEORGE EYRE and ANDREW SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1837.



ANNO PRIMO

VICTORIÆ REGINÆ.

C A P. LVI.

An Act for amending the several Acts for the
Regulation of Attornies and Solicitors.

[15th July 1837.]

WHEREAS by an Act passed in the First and Second Years of the Reign of His Majesty King George the Fourth, intituled *An Act to amend the several Acts* 1 & 2 G. 4. for the Regulation of Attornies and Solicitors, and which was c. 48. afterwards amended by an Act passed in the Third Year of the Reign of His said Majesty King George the Fourth, intituled *An Act to amend an Act made in the last Session of Parliament, for amending* 3 G. 4. c. 16. the several Acts for the Regulation of Attornies and Solicitors, Provision was made for facilitating the Admission of Graduates of the Universities of Oxford, Cambridge, and Dublin as Attornies and Solicitors of the Courts of Law and Equity, in manner and upon the Conditions in the said Acts mentioned: And whereas since the passing of the said recited Acts a Body Politic and Corporate by the Name of The University of London has been constituted by the Royal Charter of His late Majesty King William the Fourth, and an University has been founded and established in connexion with the Cathedral Church of Durham, under the Authority of an Act passed in the Second and Third Years of the Reign of His said late Majesty, intituled *An Act to enable the Dean and Chapter of Durham to appropriate* 2 & 3 W. 4. c. 19. Pr. Part of the Property of their Church to the Establishment of an University in connexion therewith, for the Advancement of Learning:

6 E

And

Provisions of former Acts, relating to the Admission and Inrolment as Attornies of Bachelors of Arts or Law at Oxford, Cambridge, and Dublin, extended to Bachelors of Arts or Law at the Universities of London and Durham.

And whereas since the passing of the said last-mentioned Act a Royal Charter of Incorporation has been granted to the University of *Durham*; and it is expedient that the Provisions of the said first-recited Acts should be extended to Graduates of the said Universities of *London* and *Durham*: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act all the Provisions, Regulations, Conditions, and Restrictions in the said recited Acts or either of them contained for or relating to the Admission and Inrolment as Attornies and Solicitors of Persons who had taken or shall thereafter take the Degree of Bachelor of Arts or Bachelor of Law in any of the Universities of *Oxford*, *Cambridge*, and *Dublin*, shall extend and be applicable to the Admission and Inrolment as Attornies and Solicitors of all Persons who shall have taken or shall take the Degree of Bachelor of Arts or Bachelor of Law either in the said University of *London* or in the said University of *Durham*, as fully and effectually as if the said Body Politic and Corporate called The University of *London* and the said University of *Durham* had been respectively constituted and founded at the Time of the passing of the said Acts, and had been therein named together with the said Universities of *Oxford*, *Cambridge*, and *Dublin*.

So much of 2 G. 2. c. 23. as relates to the Fee on Admission of Attornies, repealed.

II. And whereas by an Act passed in the Second Year of the Reign of His Majesty King *George* the Second, intituled *An Act for the better Regulation of Attornies and Solicitors*, it is enacted, that the Judges of the several Courts of Common Law therein mentioned respectively, or any One or more of them, shall, before they shall admit any Person to take the Oath therein mentioned, examine and inquire, by such Ways and Means as they shall think proper, touching his Fitness and Capacity to act as an Attorney; and that the Master of the Rolls, or Two of the Masters of the Court of Chancery, shall in like Manner, before he or they shall admit any Person to take the Oath therein mentioned, examine and inquire touching his Fitness and Capacity to act as a Solicitor, and that if the said Judges shall be satisfied that such Person is duly qualified to be admitted to act as an Attorney, and the said Master of the Rolls or Two Masters in Chancery shall be satisfied that such Person is duly qualified to be admitted to act as a Solicitor, they are thereby respectively authorized to administer to such Person the Oath therein mentioned, and to admit and inrol him as an Attorney or Solicitor of such Court respectively, without any Fee or Reward, other than One Shilling for administering such Oath: And whereas other Fees, Gratuities, and Sums of Money beside the said Fee of One Shilling have been in practice demanded or received by Officers of the said Courts respectively; and it is expedient to repeal so much of the said last-recited Act as relates to the Fee payable upon such Admission, and to make other Regulations in lieu thereof: And whereas Regulations for ensuring the due Examination of Persons to be admitted and enrolled as Attornies or Solicitors of the said Courts of Common Law and Equity have been made or approved by the Judges of the said Courts respectively; and it is expedient that reasonable and certain Fees, in lieu of those now demanded and received as aforesaid, should be paid by

by the Persons so to be admitted upon and for such Examination and Admission, and the Expences incident thereto: Be it therefore enacted, That from and after the passing of this Act so much of the said last-recited Act of the Second Year of the Reign of King George the Second as relates to the Fee payable upon such Admissions shall be and the same is hereby repealed.

III. And be it enacted, That from and after the passing of this Act no Fees, Gratuities, or Sums of Money whatsoever, other than the Fees or Sums of Money mentioned in the Schedule to this Act annexed, shall be demanded or received by any Person or Persons upon the Examination or Admission of Attornies or Solicitors in any of the said Courts respectively, upon any Pretence whatsoever.

No Fees on Examination or Admission of Attornies, except those in Schedule.

IV. And be it enacted, That any Person who shall have been duly admitted an Attorney in any One of Her Majesty's Courts of Law at *Westminster* shall be at liberty to practise in any other of Her Majesty's Courts of Law at *Westminster*, although he may not have been admitted an Attorney thereof; and that no Person, having been duly admitted an Attorney or Solicitor in any of Her Majesty's Courts of Law or Equity at *Westminster*, shall be prevented from recovering or receiving the Amount of any Costs which would otherwise have been due to him by reason of his not being admitted an Attorney or Solicitor of the Court in which such Costs shall have been incurred: Provided always, that any Attorney or Solicitor practising in any Court of Law or Equity shall be subject to the Jurisdiction of such Court, as fully and completely, to all Intents and Purposes whatever, as if he had been duly admitted an Attorney or Solicitor of such Court.

Attornies or Solicitors admitted of one Court may practise in and recover Costs for Business transacted in another.

V. And be it enacted, That this Act may be amended, altered, or repealed during the present Session of Parliament.

Act may be altered this Session.

SCHEDULE to which the foregoing Act refers.

**FEES to be paid on the EXAMINATION and ADMISSION of ATTORNIES in the
COURTS of COMMON LAW.**

	£	s.	d.		
On leaving Articles of Clerkship and Assignments for Inspection and Inquiry as to due Service	0	5	0		
On the Examination into the Fitness and Capacity of the Clerk, and for the Certificate thereof	0	15	6		
For the Judge's Fiat	0	10	6		
For the Oath in Court					
To the Usher on signing the Roll					
To the Master's Clerk for Certificate of Inrolment					
} in each Court {			0	1	0
			0	5	0
			0	5	0

**FEES to be paid on the EXAMINATION and ADMISSION of SOLICITORS in
CHANCERY.**

	£	s.	d.
On leaving Articles of Clerkship and Assignments for Inspection and Inquiry as to due Service	0	5	0
On the Examination into the Fitness and Capacity of the Clerk, and for the Certificate thereof	0	15	6
For the Admission at the Rolls, including the Fees of the Clerk of the Petty Bag Office, Usher, &c.	1	17	0

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Printers to the Queen's most Excellent Majesty. 1837.**



• ANNO PRIMO

VICTORIÆ REGINÆ.

C A P. LVII.

An Act to impose certain Duties of Excise on Sugar made from Beet Root in the United Kingdom.

[15th *July* 1837.]

WHEREAS it is expedient to impose certain Duties of Excise on Sugar made or manufactured from Beet Root in the United Kingdom : Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the Commencement of this Act there shall be charged, raised, levied, collected, and paid on every Hundred Weight of Sugar manufactured in the United Kingdom from Beet Root, and so in proportion for any greater or lesser Quantity than a Hundred Weight, a Duty of One Pound Four Shillings.

Sugar manu-
factured
from Beet
Root to pay
a Duty of
1*l.* 4*s.* per
Cwt.

II. And be it further enacted, That the said Duties by this Act imposed shall be under the Management of the Commissioners of Excise, and shall be charged, raised, levied, collected, paid, and recovered and accounted for under the Authority of this Act, and in such and the like Manner, and in and by any of the general or special Means, Ways, or Methods, and under and subject to the like Pains, Penalties, and Forfeitures, by which any other Duties of Excise are or may be charged, raised, levied, collected, paid, recovered, and accounted for ; and all the Monies arising by the Duties

Duties to be
under the
Management
of the Com-
missioners of
Excise.

by this Act imposed and made payable as aforesaid, the necessary Charges of raising, recovering, and accounting for the same excepted, shall from Time to Time be paid into the Receipt of Her Majesty's Exchequer at *Westminster*, and shall be carried to and made Part of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*.

Manufacturers of Beet Root Sugar to make Entry of their Premises.

III. And be it further enacted, That every Maker or Manufacturer of Sugar from Beet Root shall, before he shall commence to make or manufacture any Sugar, or to prepare any Materials for the making or manufacturing of any Sugar, make a true and particular Entry in Writing* of all and every Cylinder or Mill, Press, Vat, Copper, Cistern, Pan, and other Vessel or Utensil, Sugar-house, Warehouse, Storeroom, and Place intended to be made use of by him for the making or keeping any Sugar, or the preparing any Materials for making the same, by delivering such Entry to the proper Officer of Excise authorized to receive the same; and in every such Entry every Sugar-house, Warehouse, Store-room, and Place, Cylinder or Mill, Press, Vat, Copper, Cistern, Pan, and other Vessel or Utensil, shall be distinguished by a particular Number or Letter, or Number and Letter or Letters, and the respective Purpose for which the same is to be used shall be specified and described; and every such Entry shall also set forth the Name and Place of Abode of the Person or Persons making the same, and the Place where his or their Premises or Sugar-house shall be situated, and shall be signed by such Maker or Makers; and in default of making such Entry, such Maker shall for every unentered Sugar-house, Warehouse, Storeroom, or Place, Cylinder or Mill, Press, Vat, Copper, Cistern, Pan, or other Vessel or Utensil, forfeit Two hundred Pounds, together with all Sugar-juice, Syrup, Materials, and Goods therein.

Premises to be marked.

IV. And be it further enacted, That every Maker or Manufacturer of Sugar from Beet Root shall mark and number, and at all Times keep marked and numbered, every Sugar-house, Warehouse, Store-room, and Place, Cylinder or Mill, Press, Vat, Copper, Cistern, Pan, and other Vessel and Utensil, by him made use of for the making or manufacturing or keeping of such Sugar, with distinguishing Numbers or Letters, or Numbers and Letters, denoting the Purpose for which each is respectively used, and corresponding to the Description thereof in the Entry; and every Sugar-house, Warehouse, Storeroom and Place, Cylinder or Mill, Press, Vat, Copper, Cistern, Pan, and other Vessel and Utensil which shall not be so marked or numbered, or which shall not correspond with the Description in the Entry, or the Use whereof shall not be described and specified in the Entry, shall be deemed and taken to be unentered.

Officers of Excise may enter Sugar-houses, and take Account of Sugar-juice, Syrup, &c.

V. And be it further enacted, That it shall be lawful for any Officer of Excise at all Times, by Day or by Night, upon his Request, to enter into every Sugar-house, Warehouse, Storeroom, or other Place whatsoever entered or made use of by any Maker or Manufacturer of Sugar from Beet Root for the making or manufacturing or keeping of such Sugar, and to inspect and examine the same, and all Sugar-juice, Syrup, Liquor, and Materials making into Sugar,

Sugar, and from Time to Time to examine, weigh, and take an Account of all Sugar, and to gauge or otherwise take an Account of the Capacity or Content of each and every Vat, Copper, Cistern, Pan, or other Vessel directed to be gauged or the Capacity thereof ascertained by this Act, or by any Order of the Commissioners of Excise, and also to examine, gauge, and take an Account of all the Juice, Syrup, Liquor, or Material making into Sugar in every such Vat, Copper, Cistern, Pan, or other Vessel or Utensil; and every Maker or Manufacturer of Sugar from Beet Root into whose Sugar-house or Premises aforesaid any Officer of Excise shall on his Request be prevented or hindered from entering, or having entered shall be hindered or prevented from doing any such Act as aforesaid, shall forfeit Two hundred Pounds.

VI. And be it further enacted, That no Maker or Manufacturer of Sugar from Beet Root shall make use of any Syrup-cistern, or any Vat, Copper, Pan, or other Vessel or Utensil directed by the Commissioners of Excise to be gauged and the Dimensions thereof ascertained, before the same shall have been gauged and tabled by the Supervisor or other proper Officer of Excise, on pain of forfeiting Twenty Pounds for every Day the same shall be so used.

Syrup-cistern, &c. to be gauged, not to be made use of until gauged and tabled.

VII. And be it further enacted, That no such Maker or Manufacturer of Sugar from Beet Root shall in any Manner alter, or suffer to be altered, the Size, Position, or Level of any Syrup-cistern, or any Vat, Copper, Pan, or other Vessel or Utensil, directed to be gauged and tabled, at any Time after the Supervisor or proper Officer of Excise shall have gauged and ascertained the Capacity or Content thereof, except on Notice in Writing to the Officer of Excise of the intended Alteration, on pain of forfeiting One hundred Pounds.

Size or Position of any Vessel not to be altered after having been gauged and tabled, except on Notice.

VIII. And be it further enacted, That every such Maker or Manufacturer of Sugar shall from Time to Time, at least Four Hours before he shall begin to rasp, grind, or mash any Beet Root for the making of Sugar, deliver to the proper Officer of Excise a Notice in Writing, in which shall be set forth the Day and Hour when such rasping, grinding, or mashing is to be commenced, on pain of forfeiting One hundred Pounds for every Omission to give such Notice.

Notice to be given of every grinding or mashing of Beet Root to be made into Sugar.

IX. And be it further enacted, That every such Maker or Manufacturer of Sugar shall from Time to Time, when and as often as any Juice or Syrup shall be clarified and run into and collected in the Syrup-cistern, immediately and without Delay deliver to the proper Officer of Excise a Declaration in Writing specifying the particular Syrup-cistern, if there shall be more than One in the House in which such Juice or Syrup shall be contained, and setting forth the Quantity of such Juice or Syrup and the particular Gravity thereof, and thereupon the Officer of Excise shall attend and take an Account of the Quantity and Gravity of such Juice or Syrup; and no Part of such Juice or Syrup shall be drawn off or removed from the Syrup-cistern for the Space of Two Hours after such Declaration shall have been delivered, unless the proper Officer of Excise shall have previously

When Juice or Syrup is collected in the Syrup-pan, a Declaration of the Quantity and Gravity to be given to the Officer, who is to attend and take an Account of it.

viously taken an Account of the Quantity and Gravity thereof; and every such Maker or Manufacturer of Sugar in whose Sugar-house any Juice or Syrup shall be drawn off or removed from the Syrup-cistern without such Declaration as aforesaid having been delivered, or before the Expiration of Two Hours after such Declaration having been delivered (except as aforesaid), or by whom or on whose Behalf any untrue Declaration of the Quantity or Gravity of the Juice or Syrup in the Syrup-cistern shall be delivered, shall forfeit One hundred Pounds.

Officer may, take Samples from the Syrup-cistern, and the Gravity of such Samples to be deemed the Gravity of the whole Contents of the Cistern.

X. And be it further enacted, That it shall be lawful for any Officer of Excise from Time to Time, and whenever and as often as he shall deem it expedient, to take any Sample or Samples of any Juice or Syrup in any Syrup-cistern in the Sugar-house of every such Maker or Manufacturer of Sugar, in order that such Officer may ascertain the Gravity of such Juice or Syrup, and from such Part of any such Syrup-cistern as such Officer shall think proper; and the Gravity of any such Sample so taken shall be and be held to be the true Gravity of the whole Contents of the Syrup-cistern from which any such Sample shall be so taken: Provided always, that before any such Sample shall be so taken, all the Liquor contained in any such Syrup-cistern may be stirred and mixed up or mixed together by such Maker or Manufacturer of Sugar, or by any Person in his Employ, if they shall think fit so to do.

The Juice or Syrup, after the Quantity and Gravity shall have been ascertained, to be run off to the Sugar-pan, and kept separate during the Process of Manufacture until charged.

XI. And be it further enacted, That after the Officer of Excise shall have ascertained and taken an Account of the Quantity and Gravity of the Juice or Syrup in the Syrup-cistern, or at the Expiration of Two Hours after such Declaration as aforesaid shall have been delivered, all such Juice or Syrup shall be run off from such Cistern and removed into the Sugar-pan, and continued in the Process of being made into Sugar; and after such Declaration as aforesaid shall have been delivered, no other Juice, Syrup, or Sugar shall be added to or mixed with such Juice or Syrup in respect of which such Declaration shall have been delivered, but the same shall be kept separate and distinct in the Process of Manufacture, until the Sugar, the Produce thereof, shall have been weighed and charged with Duty; and if such Juice or Syrup shall not be so kept separate and distinct in the Process or Manufacture, or if any other Juice, Syrup, or Sugar shall be added thereto, the Maker or Manufacturer of Sugar shall forfeit One hundred Pounds.

When the Manufacture of Sugar is completed, Notice to be given of the Time when it will be ready to be weighed,

XII. And be it further enacted, That every such Maker or Manufacturer of Sugar shall, within Two Days after all the Sugar produced from any Juice or Syrup in respect of which such Declaration as aforesaid shall have been delivered, or of which such Account shall have been taken in the Syrup-cistern, shall be made, and the Manufacture thereof completed, give to the Officer of Excise under whose Survey he shall be a Notice in Writing, specifying the Day and Hour when such Sugar will be ready to be weighed and charged with Duty; and thereupon such Officer shall attend and weigh and take an Account of all such Sugar, and shall charge the same with Duty, in the Manner herein-after mentioned; and if any such Maker or Manufacturer

Manufacturer of Sugar shall refuse or neglect to give such Notice, or shall remove such Sugar, or any Part thereof, without having given such Notice, or before the Officers of Excise shall have weighed and taken an Account of the same, he shall forfeit Two hundred Pounds.

XIII. And be it further enacted, That for and in respect of every Gallon of Juice or Syrup which shall be made in the Sugar-house of any Maker or Manufacturer of Sugar from Beet Root, and run into and collected in the Syrup-cistern, the Officer of Excise shall charge such Maker or Manufacturer of Sugar for a Quantity of Sugar, in proportion to the Gravity of such Juice or Syrup, as set forth in the Declaration thereof, or as ascertained and taken account of by such Officer, according to a Table to be prepared under the Directions of and approved by the Commissioners of Excise for showing the Quantity of Sugar contained in any given Quantity of Juice or Syrup, according to the specific Gravity thereof, as ascertained by the Saccharometer, after making an Allowance of Fifty *per Centum* on such Quantity for Molasses, Drainage, and Wash.

Mode of charging the Duty:
First, from the Gravity of the Syrup;

XIV. And be it further enacted, That whenever any Officer of Excise shall weigh and take an Account of any Sugar made at the Sugar-house of any such Maker or Manufacturer of Sugar after the same shall have been manufactured and finished, such Officer shall charge the Maker or Manufacturer of such Sugar on the full Quantity of Sugar which he shall so weigh and take an Account of, exclusive of any Waste or Drainage which may have run therefrom.

Second, by the Weight of the Sugar produced.

XV. And be it further enacted, That every Officer of Excise under whose Survey any such Maker or Manufacturer of Sugar shall be, or any other Officer who shall be appointed so to do, shall from Time to Time, at the Expiration of every Six Weeks or at such other Times as the Commissioners of Excise shall direct, make out and deliver to the Collector of Excise, or to such Person or Persons as the Commissioners of Excise shall appoint to receive the same, an Account or Return in Writing of the Quantity of Sugar for which such Maker of Sugar shall have become chargeable with Duty in such preceding Six Weeks or Period, and of the Duty payable thereon; and every such Officer is hereby required in every such Return to charge and such Officer shall charge such Maker or Manufacturer according to whichever of the Modes of charging herein-before prescribed shall produce the highest Amount of Duty; and such Officer shall also leave a Copy of such Account or Return with such Maker or Manufacturer, and the Account or Return of such Officer shall be a Charge on every such Maker or Manufacturer of Sugar, who shall pay and clear off the Duty appearing by such Account or Return to have become due within Six Days after such Account or Return shall have been made, or in default thereof shall forfeit Double the Amount of such Duty.

Officer of Excise to make out a Return of the Duty every Six Weeks, and charge the Maker by whichever Mode will produce the highest Amount of Duty.

XVI. And be it further enacted, That any such Saccharometer may be used for ascertaining the Gravity of Juice or Syrup for the Charge of Duty under the Provisions of this Act as shall from Time to Time be directed by the Commissioners of Excise.

Any Saccharometer prescribed by the Commissioners of Excise.

signers of
Excise may
be used for
ascertaining
the Gravity
of the Syrup.

to Time be ordered and prescribed by any Order of the Commissioners of Excise; and all Juice and Syrup shall for the Purposes of this Act be deemed and taken to be of the Gravity at which such Saccharometer shall on the Application thereof denote or indicate such Juice or Syrup to be: Provided always, that it shall not be necessary on the Trial of any Information, Action, Suit, or other Proceeding to produce or give in Evidence any such Order of the Commissioners of Excise for the Use of any such Saccharometer.

Makers of
Sugar to
keep Scales
and Weights,
and permit
the Officers
of Excise to
use them.

XVII. And be it further enacted, That every such Maker or Manufacturer of Sugar shall and he is hereby required to provide, and keep in his Sugar-house just and sufficient Scales and Weights, affixed and placed in a proper and convenient Place to be approved of by the Supervisor or Surveyor of Excise; and every such Maker or Manufacturer shall permit and suffer any Officer of Excise to use the said Scales and Weights for the Purpose of weighing and taking an Account of all the Sugar which shall be at any Time in the Possession of any such Maker or Manufacturer; and every such Maker or Manufacturer of Sugar who shall neglect to keep such Scales and Weights so affixed and placed as aforesaid, or who shall not permit or suffer any Officer of Excise to use the same, shall forfeit One hundred Pounds; and every such Maker or Manufacturer who shall in the weighing of any Sugar make use of, or procure or suffer to be made use of, any false or unjust or insufficient Scales or Weights, or who shall make use of any Force or Violence, or practise any Art, Device, or Contrivance, by which any Officer of Excise may be hindered or prevented or deceived in taking the true Account or Weight of any Sugar, or charging the true Amount of Duty thereon, shall forfeit Three hundred Pounds, together with all the Sugar weighed or produced to be weighed at the Time of such Offence, and all such unjust or insufficient Scales or Weights.

Penalty for
Neglect,
100*l*;

for using
false Scales
or Weights,
&c. 300*l*.

Maker of
Sugar to as-
sist with his
Servants in
weighing.

XVIII. And be it further enacted, That every such Maker or Manufacturer of Sugar shall, when and as often as he shall be thereto required by any Officer of Excise, aid and assist the Officers of Excise with a sufficient Number of his Workmen or Servants in weighing, and taking an Account of all Sugar in the Possession of such Maker or Manufacturer required to be weighed under the Provisions of this Act, on pain of forfeiting for every Refusal or Neglect One hundred Pounds.

Sugar not
charged to
be kept sepa-
rate from
that which
has been.

XIX. And be it further enacted, That every such Maker or Manufacturer of Sugar shall at all Times keep all Sugar which shall not have been charged with Duty separate and apart from all Sugar which shall have been so weighed and charged, on pain of forfeiting One hundred Pounds.

Penalty on
evading the
Duty.

XX. And be it further enacted, That every such Maker or Manufacturer of Sugar who shall hide or conceal, or cause to be hidden or concealed, or shall remove, or convey away or deposit, or cause to be removed, or conveyed away from, or deposited in any Place, any Sugar, or any Juice or Syrup, to evade the Duties chargeable thereon, or any Part of such Duties, or before the full Duties

shall have been charged thereon, shall, over and above every other Penalty to which he may in so doing become subject, forfeit Five hundred Pounds.

XXI. And be it further enacted, That all the Powers, Provisions, Clauses, and Enactments, Pains, Penalties, and Forfeitures contained in an Act passed in the Seventh and Eighth Years of the Reign of His Majesty King George the Fourth, intituled *An Act to consolidate and amend the Laws relating to the Collection and Management of the Revenue of Excise throughout Great Britain and Ireland*, and of an Act passed in the Fourth and Fifth Years of the Reign of His late Majesty King William the Fourth, intituled *An Act to amend the Laws relating to the Collection and Management of the Revenue of Excise*, shall, except when otherwise hereby provided for, extend to and be applied to this Act, and to the Duties hereby granted, and Penalties and Forfeitures hereby imposed.

Provisions of
7 & 8 G. 4.
c. 53. and
4 & 5 W. 4.
c. 51. to ex-
tend to this
Act.

XXII. And be it further enacted, That this Act shall commence and take effect from and after the passing thereof.

Commence-
ment of Act.

XXIII. And be it further enacted, That this Act may be altered, amended, or repealed by any Act to be passed in this present Session of Parliament.

Act may be
altered this
Session.

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Britain and Irèland shall and may be exercised by the Commissioners of Her Majesty's Treasury, or any Three or more of them, and all the Powers, Provisions, Matters, and Things in the said Act contained shall be revived and shall be further continued until the Sixth Day of *April* One thousand eight hundred and thirty-eight.

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ANNO PRIMO

VICTORIÆ REGINÆ.

C A P. LIX.

An Act to postpone until the First Day of *January* One thousand eight hundred and thirty-nine the Repayment of certain Sums advanced by the Bank of *Ireland* for the Public Service.

[15th *July* 1837.]

WHEREAS an Act was passed in the First and Second Years of the Reign of His Majesty King George the Fourth, intituled *An Act to establish an Agreement with the Governor and Company of the Bank of Ireland for advancing the Sum of Five hundred thousand Pounds Irish Currency, and to empower the said Governor and Company to enlarge the Capital Stock or Fund of the said Bank to Three Millions*: And whereas another Act was passed in the Third Year of the Reign of His said Majesty King George the Fourth, intituled *An Act to reduce the Rate of Interest payable on the Sum of One million two hundred and fifty thousand Pounds advanced by the Governor and Company of the Bank of Ireland for the Public Service, under an Act made in the Forty-eighth Year of His late Majesty*: And whereas the respective Sums of Five hundred thousand Pounds and One million two hundred and fifty thousand Pounds advanced by the Governor and Company of the Bank of Ireland for the Public Service were by the said Acts directed to be repaid on the First Day of *January* One thousand eight hundred and thirty-eight: And whereas the Governor and Company of the Bank of *Ireland* have agreed that the Time for such Repayment should

1&2G.4.c.72.
3 G. 4. c. 26.

6 I

Time for
Repayment
of certain
Sums ad-
vanced by
Bank of
Ireland
postponed.

should be postponed: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said respective Sums of Five hundred thousand Pounds *Irish* Currency and One million two hundred and fifty thousand Pounds *Irish* Currency shall be repaid to the Governor and Company of the Bank of *Ireland* on the First Day of *January* One thousand eight hundred and thirty-nine, instead of the First Day of *January* One thousand eight hundred and thirty-eight, as directed by the said Acts; and that all Powers, Provisions, Matters, and Things in the said Acts, contained relating to the said Sums and to the said Day shall extend to the Day hereby appointed, for the Repayment of the said Sums in the same Manner as if the First Day of *January* One thousand eight hundred and thirty-nine had been originally named in the said recited Acts.

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ANNO PRIMO

VICTORIÆ REGINÆ.

C A P. LX.

An Act for correcting mistaken References to
His late Majesty in Acts of this Session of
Parliament. [15th *July* 1837.]

WHEREAS several Acts were agreed upon by the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, during the Reign of His late Majesty King *William* the Fourth, of blessed Memory, which had not received the Royal Assent at the Time of the Demise of His late Majesty : And whereas several other Acts and Bills which were first moved during the Reign of His late Majesty are yet under the Consideration of Parliament : And whereas in some of the said Acts and Bills are Recitals, References, and Enactments which in Words refer to His Majesty and to Acts of His Majesty's Reign, which Recitals, References, and Enactments were proper at the Time when the said Acts and Bills were first moved, but have become incorrect by reason of the Accession of our Sovereign Lady *Victoria*, the Queen that now is : And whereas it is expedient to guard against any Doubt which may therefrom arise : Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That every Act of this present Session of Parliament which shall have received the Royal Assent subsequent to the Demise of His late Majesty, and in which any Act of Parliament passed in the Reign of His late Majesty shall be referred to, either

by way of Recital, Reference, Enactment, or otherwise, as if His Majesty still continued to reign, shall be taken to refer to every such last-mentioned Act of Parliament correctly as of the Reign of His late Majesty, and that no such incorrect or mistaken Reference as is herein-before recited shall in anywise impeach or affect any Act of Parliament passed or to be passed in this present Session of Parliament, or any Clause or Provision thereof.

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ANNO PRIMO

VICTORIÆ REGINÆ.

C A P. LXI.

An Act to extend an Exemption granted by an Act of the last Session of Parliament from the Duties of Assessed Taxes, in respect of certain Carriages with less than Four Wheels, and to amend the Laws relating to the said Duties.

[15th *July* 1837.]

WHEREAS by several Acts passed respectively in the Forty-third, Forty-eighth, and Fifty-second Years of the Reign of King *George* the Third certain Duties of Assessed Taxes were granted and made payable in respect of Carriages with less than Four Wheels, and by the same Acts respectively certain lower Rates of the said Duties were made payable in respect of certain inferior Descriptions of such Carriages called "Taxed Carts," provided the Owner's Christian and Surname and Place of Abode, and other Particulars in the said Acts respectively mentioned, should be painted on such Carriages in the Manner therein mentioned, in Words at full Length, each of the Letters thereof being at least One Inch in Length and of a Breadth in proportion: And whereas by an Act passed in the Fourth Year of the Reign of King *George* the Fourth the said Carriages called "Taxed Carts," having such Particulars so painted thereon as aforesaid, were wholly exempted from the said Duties: And whereas by an Act passed in the Third and

Exemption
granted by
6 & 7 W. 4.
c. 65. ex-
tended to
Two-wheel
Carriages,
having certain
Particulars
painted there-
on in Letters
One Inch
in Height.

Carriages
need not be
described in
the Accounts
and Returns
of Coach-
makers and
others, other-
wise than by
the Number
of Wheels
thereof.

Fourth Years of the Reign of His late Majesty King *William* the Fourth the Duties of Assessed Taxes were repealed in respect of certain other inferior Carriages with less than Four Wheels, provided such Carriages were built and constructed in the Manner specified in the said last-mentioned Act, and provided that every such Carriage shall have the Christian and Surname or Names and Places of Abode, Occupation or Calling of the Owner or Owners marked or painted thereon in Roman Characters, and in Words at Length, each of the Letters being at least One Inch in Height, and of a proper and proportionate Breadth: And whereas by an Act passed in the Sixth and Seventh Years of the Reign of His said late Majesty a further Exemption was granted from the said Duties of Assessed Taxes in respect of certain other Carriages with less than Four Wheels, provided, amongst other things, that every such Carriage respectively should have the Christian Name and Surname, and Place of Abode, and Occupation or Calling of the Owner and of every Owner thereof, painted in Words at Length, and in legible and conspicuous Roman Letters or Characters, Two Inches at the least in Height, and of a proper and proportionate Breadth, upon the Outside of such Carriage, in manner in the said last-recited Act mentioned: And whereas it is expedient to allow the said last-mentioned Exemption in Cases where such Letters or Characters so painted as aforesaid shall be of a less Height than Two Inches, provided the same shall be of the Height of One Inch at the least: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That upon all Assessments made or to be made for any Year commencing from or at any Time after the Fifth Day of *April* One thousand eight hundred and thirty-seven the said last-mentioned Exemption shall extend to every such Carriage in that Behalf mentioned and described in the said last-recited Act whereon the several Particulars in the said last-recited Act specified shall be painted, in the Manner therein mentioned, in distinct Words at Length, and in legible and conspicuous Roman Letters or Characters One Inch at the least in Height, and of a proper and proportionate Breadth.

II. And whereas by the Acts in force relating to the Duties of Assessed Taxes all Coachmakers and Makers of Carriages, and all Sellers of Carriages by Auction or on Commission, and all Persons letting to Hire any Carriages, are respectively required to enter in a Book an Account of all Carriages by them respectively built and constructed for Sale, or sold or let to Hire, containing, amongst other Particulars, a Description of every such Carriage, distinguishing the Number of Wheels of each; and all such Persons as aforesaid are also required to deliver a true Copy in Writing of every such Entry, verified on Oath or Affirmation, to the Assessor or Assessors of the Parish or Place in which they respectively reside, or to the Surveyor or Inspector of the said Duties: And whereas the describing of such Carriages has been found to be attended with Difficulty and Inconvenience to the Persons required to make such Entries and to deliver Copies thereof as aforesaid; for the Relief of such Persons, be it enacted, That in any such Entry as aforesaid it shall not be necessary

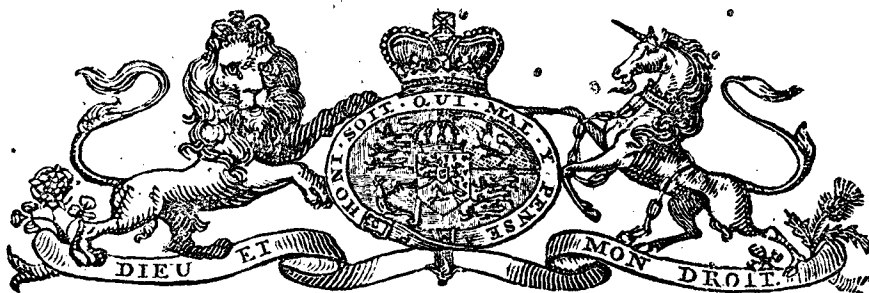
to describe any Carriage further or otherwise than by stating the Number of Wheels thereof.

III. And whereas by an Act passed in the Forty-third Year of the 43 G. 3. Reign of King *George* the Third, for repealing the several Duties c. 161. s. 23. under the Management of the Commissioners for the Affairs of Taxes, and granting new Duties in lieu thereof, and for other Purposes therein mentioned, the respective Commissioners of the Duties of Assessed Taxes are thereby required, as soon as the Assessment of the said Duties shall be made, to issue out and deliver to the respective Collectors their Warrants for the speedy and effectual levying and collecting the said Duties as the same shall become payable as therein mentioned; and it is thereby enacted that such Part thereof as cannot be so levied and collected may be recoverable as a Debt upon Record to the King's Majesty, His Heirs and Successors, with full Costs of Suit, and all Charges attending the same: And whereas by another Act passed in the said Forty-third Year of the Reign of King *George* the Third, intituled *An Act for consolidating certain* 43 G. 3. c. 99. *of the Provisions contained in any Act or Acts relating to the Duties* s. 45. *under the Management of the Commissioners for the Affairs of Taxes, and for amending the same,* it is enacted, that the Commissioners of Taxes shall make out their Schedules, containing the Sums discharged from Assessment for any Cause specially allowed by Law, and the Sums with which each and every Defaulter ought to be charged, and the Sums which shall not have been collected by occasion of the Collector's Neglect, and which ought to be re-assessed on the Parish, Ward, or Place, and shall cause the said several Particulars to be inserted in a Schedule fairly written on Parchment, under the Hands and Seals of such Commissioners, or any Two or more of them, containing the Names and Surnames of the said Collectors, and the same to be delivered to the Receiver General, to be returned by such Receiver General into His Majesty's Court of Exchequer, whereupon every Person so making Default of Payment, and each Parish, Ward, or Place so in default, may be charged by Process of Court, according to the Course thereof in that Behalf: And whereas by an Act passed in the Fifth and Sixth Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to consolidate* 5 & 6 W. 4. *certain Offices in the Collection of the Revenues of Stamps and Taxes,* c. 20. s. 13. *and to amend the Laws relating thereto,* it is enacted, that all such Schedules as aforesaid which shall be made out at any Time after the Commencement of the said Act shall be delivered over or transmitted by the Receiver General, Receiving Inspector, or other Receiver to whom the same shall have been delivered to the Commissioners of Stamps and Taxes, and shall be deposited and remain in the Head Office of the said last-mentioned Commissioners; and that the Production of any Schedule so deposited, and purporting to contain the Name or Names of any such Defaulter or Defaulters as aforesaid, shall be conclusive Evidence against any Person named therein as making Default of Payment, and against every Parish, Ward, or Place named therein as in default of the Sum or Sums mentioned in any such Schedule being due and owing and in arrear and unpaid to His Majesty, His Heirs and Successors, unless Payment thereof shall be proved; and that every such Sum shall be recoverable from the Person
and

For removing
Doubts as to
the Mode of
proceeding
against De-
faulters for
the Recovery
of Arrears of
Assessed
Taxes.

and Persons making Default of Payment thereof as a Debt upon Record to the King's Majesty, His Heirs and Successors, with full Costs of Suit, and all Charges attending the same: And whereas Doubts have arisen as to the Construction of the said Acts, and it is expedient to amend the same; be it therefore enacted, That all and every the said Duties of Assessed Taxes contained, charged, or assessed in or by any Assessment already made or to be at any Time hereafter made may be sued or prosecuted for and recovered, with full Costs of Suit and all Charges attending the same, of and from the Person and Persons respectively charged therewith, in Her Majesty's Court of Exchequer at *Westminster*, by Information in the Name of Her Majesty's Attorney General, as a Debt or Debts due to the Queen's Majesty, Her Heirs and Successors, or by any other Ways or Means, whereby any Debt of Record or otherwise due to the Queen's Majesty, Her Heirs or Successors, can or may at any Time be sued or prosecuted for or recovered, as well as by the summary Means specially provided by the said Acts or any of them for levying the said Duties; and in any Proceeding for the Recovery of any of the said Duties, the Production of any Schedule made or purporting to be made in pursuance of the said Act in that Behalf passed in the Forty-third Year of the Reign of King *George* the Third, and purporting to contain the Name or Names of any such Defaulter or Defaulters as aforesaid, shall be sufficient Evidence of the Sum or Sums mentioned in any such Schedule having been duly charged and assessed upon such Defaulter or Defaulters respectively, and of the same being due and owing, and in arrear and unpaid to Her Majesty, Her Heirs and Successors.

LONDON: Printed by GEORGE EYRE and ANDREW SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1837.



ANNO PRIMO

VICTORIÆ REGINÆ.

C A P. LXII.

An Act to authorize Her Majesty, until Six Months after the Commencement of the next Session of Parliament, to carry into immediate Execution, by Orders in Council, any Treaties, Conventions, or Stipulations made with any Foreign Power or State for the Suppression of the Slave Trade.

[15th July 1837.]

WHEREAS the Two Houses of Parliament did, by their Addresses of *June* the Sixth One thousand eight hundred and six, *June* the Twenty-seventh One thousand eight hundred and fourteen, *July* the Ninth One thousand eight hundred and seventeen, *July* the Seventh One thousand eight hundred and nineteen, and *May* the Ninth One thousand eight hundred and thirty-five, request their late most Gracious Majesties King *George* the Third and King *William* the Fourth to conclude Treaties for the effectual Suppression of the Slave Trade: And whereas Her Majesty is at the present Time engaged in negotiation with certain Foreign Powers for the Purpose of concluding such Treaties with them: And whereas it may happen that some such Treaties may be concluded during the Time that Parliament is not sitting: And whereas in such Case Delay would take place in carrying into execution the Stipulations of such Treaties, and much Crime might be perpetrated during the Interval that might elapse between the

Her Majesty
may, by
Order in
Council,
direct that
Treaties for
the Suppres-
sion of the
Slave Trade
be carried
into im-
mediate
Execution.

the Ratification of such Treaties and the Time when Parliament might pass Acts authorizing the Crown to carry the same into execution : And whereas it would materially tend to further the Accomplishment of the Objects which the Two Houses of Parliament had in view when they addressed Their said late Majesties as aforesaid, if the Crown were to be empowered to carry such Treaties into immediate Execution : Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall be lawful for Her Majesty, by any Order or Orders in Council, to direct that such Treaties or Conventions and all Stipulations contained therein, and also all additional Stipulations to any former Treaties or Conventions which Her Majesty may have concluded or may hereafter conclude with any Foreign Power or State for the more effectual Suppression of the Slave Trade, shall be carried into immediate Execution, and for that Purpose to declare and direct in such Orders of Council that all Searches, Examinations, Detentions, Seizures, Condemnations, and Sales of Ships or Vessels detained, seized, or captured, for any Violations of the Provision of any such Treaties, Conventions, or Stipulations, shall be legal ; and also by any such Order or Orders in Council to establish Tribunals for the trying and deciding all Questions which may arise under such Treaties, Conventions, or Stipulations, and for the Condemnation of any such Vessels as aforesaid, and for punishing the Violation of any such Treaties, Conventions, or Stipulations, and for adjudging and enforcing the Payment of any Penalties for any such Violation, or to authorize any Tribunal which may have been heretofore established to act in relation to the enforcing such Treaties, Conventions, or Stipulations aforesaid ; and also to authorize the Payment of such Bounties as are allowed in any Act or Acts of Parliament now in force for the Suppression of the Slave Trade to the Persons detaining, seizing, or capturing any such Vessels ; and it shall be lawful for Her Majesty in any such Order or Orders in Council to declare that all Clauses and Provisions, Powers and Authorities contained in, and all Penalties and Forfeitures imposed by any Act or Acts of Parliament now in force for the carrying into execution or giving effect to any Treaty, Convention, or Stipulation heretofore made with any Foreign Power or State, or in any other Act or Acts of Parliament in force for the Suppression of the Slave Trade, as shall be specified or referred to in any such Order or Orders in Council, shall be applied and put in force for the Purpose of carrying into immediate Execution any such Treaty, Convention, or additional Stipulation first above mentioned ; and upon the issuing of any such Order or Orders in Council all the Directions, Powers, and Authorities contained therein, and all Clauses, Provisions, Powers, Authorities, Penalties, and Forfeitures referred to in any such Order or Orders, and contained in any such Act or Acts of Parliament aforesaid, shall have the same and like Force and Effect ; and all Acts, Matters, and Things done under the Authority thereof, and all Acts and Judgments of any Tribunals under the same, shall be valid and effectual, as fully to all Intents and Purposes as if the same had been enacted in an Act of Parliament.

II. And

II. And be it enacted, That this Act, and all Orders in Council issued under the Authority thereof, shall continue in force until the Expiration of Six Months after the Commencement of the next Session of Parliament. Continuance
of Act, &c

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Printers to the Queen's most Excellent Majesty. 1837.



ANNO PRIMO

VICTORIÆ REGINÆ.

C A P. LXIII.

An Act to defray the Charge of the Pay, Clothing, and contingent and other Expences of the Disembodied Militia in *Great Britain* and *Ireland*; and to grant Allowances in certain Cases to Subaltern Officers, Adjutants, Paymasters, Quartermasters, Surgeons, Assistant Surgeons, Surgeons Mates, and Serjeant Majors of the Militia, until the First Day of *July* One thousand eight hundred and thirty-eight. [15th *July* 1837.]

WHEREAS it is necessary that Provision should be made for defraying the Charge of the Pay, Clothing, and contingent and other Expences of the Regular Militia, and of the Miners of *Cornwall* and *Devon*, when disembodied, in *Great Britain* and *Ireland*; and for making in certain Cases Allowances of Reduced Pay to Subaltern Officers and Surgeons Mates and Assistant Surgeons of the Regular Militia, and of the Miners of *Devon* and *Cornwall*, while disembodied; and Allowances to Adjutants, Paymasters, Surgeons, Quartermasters, and Serjeant Majors of the Regular Militia, who have been or may be reduced, and to Adjutants, Surgeons, and Quartermasters disabled after long Service: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same,

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That
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Secretary at War to issue the Money required for the Pay of the Regular Militia. That the Secretary at War for the Time being may and shall, and he is hereby authorized, empowered, and required to cause to be issued and paid the whole Sum required for the Regular Militia of *Great Britain and Ireland* (when disembodied), in the Manner and for the several Uses herein-after mentioned; (that is to say,) for the Pay of the said Regular Militia at the Rates following; (that is to say,)

Rates of Pay. For each Adjutant, Eight Shillings *per Diem* :
 For each Serjeant Major, having been Serjeant Major of a Provisional Battalion of Militia, Two Shillings and Sixpence *per Diem* :
 For each Serjeant Major, where one is appointed in Corps consisting of Two or more Companies, One Shilling and Ten-pence *per Diem* :
 For each Serjeant having been a Colour Serjeant in one of the Provisional Battalions of Militia, Two Shillings *per Diem* :
 For each Serjeant, One Shilling and Sixpence *per Diem* :

Rates of Pay when absent on Furlough. Provided always, that when any Serjeant Major or Serjeant shall be absent on Furlough or Licence, he shall during such Absence receive Sixpence *per Diem* less than the above-mentioned Rates respectively :

Clothing. And also for the Clothing of the Regular Militia (when disembodied), in Cases in which full Clothing shall be provided by the Colonel or Commandant, at the Rate of Five Pounds Twelve Shillings and One Penny for each Serjeant Major, and Three Pounds for each Serjeant; and so in proportion, in the Cases in which only Part of the Clothing shall be provided by the Colonel or Commandant, together with the actual Expence of Package and Carriage, and such Charges for altering and fitting the Clothing as shall have been sanctioned by the Secretary at War: Provided always, that such Serjeant Majors and Serjeants as were serving on the Disembodied Staff on the First Day of *June* One thousand eight hundred and twenty-nine, and shall be resident at Head Quarters, shall be entitled to be clothed once in Two Years; and that such as shall have been subsequently appointed to serve or promoted on the Disembodied Staff shall be entitled to be clothed once in Four Years :

Contingent Fund. And also at the Rate of Sixpence *per Annum* for each Private Man for defraying the contingent Expences of each Regiment, Battalion, or Corps.

Adjutant, &c. to reside where the Arms of the Corps are kept. II. And be it further enacted, That every Adjutant and Non-commissioned Officer on the Staff of the Regular Militia, when disembodied, shall be constantly resident within the City, Town, or Place where the Depôt of the Corps to which they belong may be ordered to be stationed, or within such reasonable Distance of the Depôt as shall be sanctioned by the Secretary at War: Provided always, that every such Adjutant and Non-commissioned Officer shall forfeit his Pay for any Period during which he shall be absent, except when absent by Leave from the Colonel or Commandant of the Regiment, Battalion, or Corps, which Leave shall not, except in case of certified Sickness, extend beyond Three Calendar Months in One Year, nor to a greater Proportion than One Third of the Non-commissioned Officers at the same Time.

III. And

III. And be it further enacted, That the Adjutant of each Regiment of Militia shall have the Charge and Care of the Arms, Accoutrements, Great Coats, Clothing, Necessaries, and other Stores thereof, under the Superintendence of the Colonel or Commandant; and shall out of the Allowance of Sixpence *per Annum* for each Private Man, directed by this Act to be issued and paid for defraying the contingent Expences of such Regiment, Battalion, or Corps, from Time to Time issue and pay such Sums of Money as may be necessary for the Repair of Arms, and other usual contingent Expences, upon an Order in Writing signed by the Colonel or other Commandant; and after Payment of such Sums as aforesaid he shall Three Times in the Year make up Accounts of all such Money, and of the Expenditure thereof, showing the Balance remaining in his Hands, (which said Balance shall form a Stock Purse for the Use of the Regiment, Battalion, or Corps,) and shall transmit the same to the Colonel or other Commandant of such Regiment, Battalion, or Corps, to be by him examined, allowed, and signed; and the said Accounts so allowed and signed shall be and are hereby directed to be the proper Vouchers and Acquittal of such Adjutant for the Application and Disposal of such Money.

Adjutant to have Charge of the Arms and Clothing, and to issue the Money for contingent Expences on an Order signed by the Colonel.

Balance to form a Stock Purse.

IV. And be it further enacted, That in the occasional and unavoidable Absence of the Adjutant from the City, Town, or Place where the disembodied Staff is quartered, or during any Vacancy in the Appointment of Adjutant, the Serjeants shall be under the Command of the Serjeant Major, or of some Serjeant who shall be appointed by the said Adjutant, with the Approbation of the Colonel or other Commanding Officer, to act as Serjeant Major during the Absence of such Adjutant; and the said Serjeant Major or acting Serjeant Major shall render the same Returns and perform such other Acts as are by Law required from the Adjutant.

In Absence of the Adjutant, the Serjeants, &c. to be under the Command of the Serjeant Major.

V. And be it further enacted, That the Officers and Non-commissioned Officers, Drummers, and Private Men of the Regular Militia shall, for the Period or Periods during which they shall be called out for the Purpose of Exercise or Training, be entitled to the same Pay and Allowances as the Officers, Non-commissioned Officers, Drummers, and Private Men of the Militia when embodied.

Militia when called out for Training or Exercise entitled to Pay.

VI. And whereas it is expedient to grant Allowances to certain Officers of the said Militia Forces of *Great Britain* and *Ireland*, while disembodied, under certain Regulations; be it further enacted, That the following Allowances shall be made and paid, to the Amount, under the Restrictions, and in the Manner herein-after expressed, to every Subaltern Officer and Surgeon's Mate in *Great Britain*, and to every Subaltern Officer and Assistant Surgeon in *Ireland*, who held a Commission in the Militia of *Great Britain* or *Ireland*, and was serving therein, when the Corps was last disembodied, and also to every Supernumerary Subaltern Officer and Assistant Surgeon of any Regiment of Militia in *Ireland* which was augmented during the War, and which has been reduced to its original Establishment; (that is to say,)

Allowances to Subalterns and Surgeons Mates and Assistant Surgeons.

To a Lieutenant, Two Shillings and Sixpence *per Diem* :

To an Ensign, Two Shillings *per Diem* :

And to a Surgeon's Mate or Assistant Surgeon, Two Shillings and Sixpence *per Diem* :

Rank of
certain
Officers.

Provided always, that for the Purposes of this Act all Officers of the Militia serving with the Rank of Captain-Lieutenants shall be deemed to be Lieutenants, and all Officers serving with the Rank of Second Lieutenant shall be deemed to be Ensigns; and that the Supernumerary Subalterns and Assistant Surgeons of Regiments of Militia in *Ireland* as aforesaid shall be deemed to have belonged to such Regiments when they were last disembodied, and to have continued to serve therein from that Time.

Certain Per-
sons not
entitled to
Allowances.

VII. Provided also, and be it further enacted, That no Person who is or shall during the Continuance of this Act become possessed of such an Estate or Income as would by Law qualify him to hold the Commission of Captain of a Company in the said Militia, or who is or shall be appointed Adjutant in any Regiment, Battalion, or Corps of Militia, nor any Officer on Full Pay of the Navy, Army, or Marines, shall have or be in any way entitled to the said Allowances, or any Part or Share thereof; any thing herein contained to the contrary thereof in anywise notwithstanding.

Declara-
tion to be
taken to en-
title Officers,
&c. to such
Allowances.

VIII. And be it further enacted, That the Subaltern Officers, Surgeons Mates, and Assistant Surgeons of the Militia, who shall claim under the Authority of this Act to receive any Part of the said Allowances, shall, previous to receiving the same, and in order to entitle themselves thereto, take and subscribe a Declaration before some one of Her Majesty's Justices of the Peace of the United Kingdom, or before some one of Her Majesty's Ministers, Secretaries of Embassy, of Legation, or Consuls Abroad, in the Words or to the Effect following; (*videlicet*,)

Form of
Declaration.

‘ I *A.B.* do solemnly and sincerely declare, That I belonged to the
‘ of Militia when the same was disembodied,
‘ and that I have continued to serve therein from that Time until the
‘ Day of inclusive, as a [Lieutenant,
‘ Ensign, Surgeon's Mate, or Assistant Surgeon, *as the Case may be*];
‘ and that I was not in my own Right, or in the Right of my Wife,
‘ during any Part of the Period for which I now claim to receive my
‘ Allowance, that is to say, from the Day of
‘ to the Day of both
‘ inclusive, in the actual Possession and Enjoyment or Receipt of the
‘ Rents and Profits of Lands, Tenements, or Hereditaments of such
‘ an annual Value above Reprizes as would qualify me to hold a
‘ Commission of Captain of a Company in the Militia; that I was
‘ not in Holy Orders; that I have not during the above Period held
‘ the Appointment of Adjutant, Surgeon, Paymaster, or Quarter-
‘ master in any Regiment, Battalion, or Corps of Militia; that I did
‘ not hold or enjoy, nor did any Person for me hold or enjoy, during
‘ the said Period, any Place, Office, or Employment of Profit, Civil
‘ or Military, under the Crown or any other Government, besides
‘ the Allowance of a Day now claimed, except
‘ my

‘ my Half Pay as a [of the Army or
 ‘ Navy or Marines, or of a Provisional Battalion formed from the
 ‘ Militia, *as the Case may be*], and any Pay and Allowances from the
 ‘ to the both Days inclusive, during which
 ‘ Period the Corps was assembled for Training and Exercise.’

Which Declaration, so taken and subscribed, shall be produced to the Paymaster General of Her Majesty's Forces by the Subaltern Officer, Surgeon's Mate, or Assistant Surgeon claiming the Allowance.

IX. And be it further enacted, That the Allowances granted to certain Paymasters, Surgeons, and Quartermasters of the Militia of *Great Britain and Ireland*, on their being reduced in pursuance of an Act passed in the Tenth Year of the Reign of His Majesty King *George the Fourth*, shall be issued and paid, under the Restrictions and in the Manner herein-after expressed, during the Continuance of this Act, and that it shall be lawful for the Secretary at War to place any such Paymaster, Surgeon, or Quartermaster, when unfit for further Duty, upon a retired Allowance equal to and in lieu of his reduced Allowance.

Allowances
to Officers
reduced in
1829.

X. And be it further enacted, That every Paymaster, Surgeon, and Quartermaster of Militia, who shall claim under the Authority of this Act to receive any Part of the said Allowances, shall, previous to receiving the same, and in order to entitle himself thereto, take and subscribe a Declaration before some one of Her Majesty's Justices of the Peace in the United Kingdom, or before some one of Her Majesty's Ministers, Secretaries of Embassy or of Legation, or Consuls Abroad, in the Words or to the Effect following; (*videlicet*)

Declaration
to be taken
by Officers
claiming the
said Allow-
ances.

‘ I *A.B.* do solemnly and sincerely declare, That I was serving as Form of
 ‘ [Paymaster, Surgeon, or Quartermaster, *as the Case may be*,] in Declaration.
 ‘ the of Militia at the Reduction of the Staff
 ‘ of the said Militia in One thousand eight hundred and twenty-
 ‘ nine; and that I was not in Holy Orders during any Part of the
 ‘ Period for which I now claim to receive an Allowance, that is to
 ‘ say, from the Day of One thousand eight
 ‘ hundred and to the Day of One
 ‘ thousand eight hundred and ; and that I did not
 ‘ hold or enjoy, nor did any Person for me hold or enjoy, during any
 ‘ Part of the said Period, any Place, Office, or Employment of Profit,
 ‘ Civil or Military, under the Crown, or any other Government,
 ‘ besides the Allowance of a Day now claimed, except my
 ‘ Half Pay as a [of the Army or Navy or Marines, or of
 ‘ a Provisional Battalion formed from the Militia, *as the Case may*
 ‘ *be*], and except my Pay and Allowances from the to
 ‘ the both Days inclusive, during which Period the
 ‘ Militia was assembled for Training and Exercise.’

Which Declaration, so taken and subscribed, shall be produced to the Paymaster General of Her Majesty's Forces by the Paymaster, Surgeon, or Quartermaster claiming the Allowance: Provided always, that any Paymaster, Surgeon, or Quartermaster receiving such Allow-
 6 O ance,

ance, and being on Naval or Military Half Pay, or entitled to any Allowance as having served in any of Her Majesty's Regular Forces, or Navy, or Marines, shall, notwithstanding such Militia Allowance, be entitled to receive such Half Pay or Allowance.

Out-Pension
to Reduced
Non-com-
missioned
Officers and
Drummers
not to be re-
ceived while
serving.

XI. And whereas certain Non-commissioned Officers and Drummers of the Militia of the United Kingdom of *Great Britain and Ireland* have, on the Reduction of the Establishment of the Disembodied Staff, been placed on the Out-Pension, although not unfit for further Service; be it further enacted, That no Non-commissioned Officer or Drummer so placed on Pension shall be entitled to receive the said Pension for any Period during which he shall be receiving Pay in the Militia.

Subalterns,
Mates, &c.
to attend the
Exercise, &c.

XII. And be it further enacted, That every Paymaster, Surgeon, or Quartermaster on the reduced Allowance, and every Subaltern Officer, Surgeon's Mate, and Assistant Surgeon of the Militia, who shall be entitled or claim to be entitled to any Allowances as aforesaid, shall regularly attend the Exercise and Training of the Regiment, Battalion, or Corps to which he belongs during the whole of the Time it shall be assembled for that Purpose, and shall during the said Time punctually do and perform his Duty as a Paymaster, Surgeon, Quartermaster, Subaltern Officer, Surgeon's Mate, or Assistant Surgeon of such Regiment, Battalion, or Corps, on pain of forfeiting the said Allowance, as well as all Arrears of the said Allowance and of Pay; and a Certificate of his having so attended and performed his Duty, signed by the Commanding Officer of the Regiment, Battalion, or Corps to which he may belong, shall be transmitted to the Paymaster General by the Officer claiming the Allowance: Provided always, that in case any such Paymaster, Surgeon, Quartermaster, Subaltern Officer, Surgeon's Mate, or Assistant Surgeon, claiming to be entitled to such Allowance, shall by his Commanding Officer be permitted or suffered, for any special Cause or unavoidable Necessity, to be absent during the Whole or any Part of such Exercise, for which Purpose it shall be lawful for such Commanding Officer to grant such Leave of Absence, then and in such Case it shall be lawful for such Paymaster, Surgeon, Quartermaster, Subaltern Officer, Surgeon's Mate, or Assistant Surgeon, who may be so permitted to be absent, and have such Leave in Writing, to demand and receive the said Allowance and every Part thereof in like Manner as if he had attended during the whole of the said Exercise: Provided always, that the Reason for such Absence, as well as the Duration thereof, shall be carefully and truly specified in a Certificate (in lieu of that before mentioned), to be signed by the Commanding Officer, and to be furnished as soon as conveniently may be to the Paymaster General.

Commanding
Officer may
grant Leave
of Absence.

If the Regi-
ment be not
called out be-
fore the Time
fixed for the
Payment, the
Allowance
shall be paid,

XIII. Provided always, and be it further enacted, That in case any Regiment, Battalion, or Corps of Militia shall not, before the Time fixed for the Payment of the said Allowances, be called out for the Exercise and Training thereof, every Paymaster, Surgeon, Quartermaster, Subaltern Officer, Surgeon's Mate and Assistant Surgeon belonging to any such Regiment, Battalion, or Corps, and coming

coming within the aforesaid Benefits of this Act; who shall have made and subscribed the Declaration herein-before mentioned before any Justice of the Peace or other Person as aforesaid, shall be entitled to the said Allowance as if he had regularly attended the Exercise and Training of such Regiment, Battalion, or Corps during the whole of the Time by Law appointed for that Purpose, and as if a Certificate of such Attendance, signed by the Commanding Officer of the Regiment, Battalion, or Corps, had been furnished.

on making the Declaration, without Certificate of Attendance.

XIV. And be it further enacted, That upon such Declarations and Certificates as aforesaid, or where any Regiment of Militia shall not have been called out to their Exercise as aforesaid, upon the said Declarations, being produced to the Paymaster General, it shall be lawful for the Paymaster General, and he is hereby authorized and required, to pay to the said Paymasters, Surgeons, Quartermasters, Subaltern Officers, Surgeons Mates, and Assistant Surgeons their respective Allowances above mentioned for the usual quarterly or other proper Periods, without any Deduction whatsoever, the Declarations and Certificates before mentioned to be by him preserved and produced as Vouchers for the Payments.

Allowances to be paid quarterly.

XV. And be it further enacted, That the Paymasters, Surgeons, Quartermasters, Subaltern Officers, Surgeons Mates, and Assistant Surgeons of Militia, entitled or claiming to be entitled to the aforesaid reduced or disembodied Allowances, shall at all Times be liable to serve in the respective Regiments, Battalions, or Corps to which they belong whenever the same shall be embodied and called out upon active Service; and in case of Neglect or Refusal to attend when called upon, on such Occasion or on such other Occasions as may be required in pursuance of the Laws in force respecting the Militia when disembodied, each and every such Paymaster, Surgeon, Quartermaster, Subaltern Officer, Surgeon's Mate, and Assistant Surgeon shall, on such Neglect or Refusal being certified to the Secretary at War, and, in respect of the Militia of *Great Britain*, to the Lord Lieutenant of the County, by the Colonel or other Commandant of the Regiment, Battalion, or Corps to which such Paymaster, Surgeon, Quartermaster, Subaltern, Surgeon's Mate, or Assistant Surgeon shall belong, forfeit his Claim to the said Allowance and every Part thereof, and shall also be considered as having resigned and vacated his Commission to all Intents and Purposes whatsoever.

On Neglect of Attendance, Subalterns, &c. shall forfeit their Claim to the Allowance.

XVI. And be it further enacted, That nothing in this Act contained shall extend or be construed to extend to entitle any Paymaster, Surgeon, Quartermaster, Subaltern Officer, Surgeon's Mate, or Assistant Surgeon as aforesaid, to the said Allowance, or any Part thereof, during the Time the Militia to which he belongs shall be embodied or assembled for Training and Exercise.

Allowance not to be paid while the Militia is embodied.

XVII. Provided always, and be it further enacted, That any Person being on Naval or Military Half Pay, or being entitled to any Allowance as having served in any of Her Majesty's Regular Forces or Navy or Marines, and serving in the Militia, shall and may and he is hereby empowered to receive and take the Pay and Allowances

Persons on Half Pay, or entitled to Allowance as having served in the Army or Navy, em-

powered to
receive Pay,
&c. during
Training.

by this Act directed to be paid to the Field Officers, Captains, Lieutenants, Ensigns, Adjutants, Quartermasters, Surgeons, Surgeons Mates, and Assistant Surgeons, when assembled for annual Training; and the receiving and taking any such Pay and Allowances by any such Field Officer, Captain, Lieutenant, Ensign, Adjutant, Quartermaster, Surgeon, Surgeon's Mate, or Assistant Surgeon shall not prevent such Person on Half Pay, or being entitled to any such Allowance, from receiving his Half Pay or such Allowance: Provided always, that such Person shall, in the Declaration to be taken for the Receipt of the Half Pay or such Allowance, declare that he has received or is entitled to such Militia Pay and Allowances, and shall specify the Militia Rank which entitles him to the same.

Adjutants,
&c., Non-
commis-
sioned
Officers, or
Privates, not
to lose their
Right to
Chelsea Pen-
sions, &c.

XVIII. Provided always, and be it further enacted, That no Adjutant, Quartermaster, Non-commissioned Officer, Drummer, or Private Man in the Regular Militia entitled to receive any *Chelsea* or *Kilmainham* Pension or Allowance on account of Service in the Regular Army, shall forfeit, or lose his Right to the same by reason of his serving and receiving Pay in the Regular Militia; nor shall any Quartermaster, Subaltern, Surgeon's Mate, or Assistant Surgeon forfeit or lose his Right to receive any such *Chelsea* or *Kilmainham* Pension or Allowance by reason of his receiving the Allowance by this Act granted to him when disembodied.

Allowance to
be made for
Medicines.

XIX. And be it further enacted, That there shall be granted for each Regiment of Regular Militia, when disembodied, a Sum of Money after the Rate of One Guinea for every One hundred Men of each such Regiment, for the Expence of necessary Medicines for the sick Non-commissioned Officers, Drummers, Fifers, and Private Men of such Regiment, during the Period or Periods of Assembly for Exercise or Training; and also an Allowance of Two-pence *per* Week for each of the Non-commissioned Officers of each Regiment on the Disembodied Staff at Head Quarters, for the Expence of necessary Medicines and Attendance given to the said Non-commissioned Officers while such Regiment is not called out for Training and Exercise.

Adjutants ap-
pointed be-
fore 24th Dec.
1814 entitled
to receive,
after a Ser-
vice of Twen-
ty Years, if
unfit for fur-
ther Service,
an Allowance
of 8s. per
Day;

XX. And be it further enacted, That every Adjutant of Regular Militia appointed as such before the Twenty-fourth Day of *December* One thousand eight hundred and fourteen, who shall have served faithfully, either in Her Majesty's Regular Forces, or in the Regular or Local Militia, for the full Term of Twenty Years in the whole, whereof Ten shall have been in Service as an Adjutant of Regular Militia, and who shall be by Age or Infirmary rendered unfit for further Service, shall, on producing to the Secretary at War a Certificate of such Service of Twenty Years as aforesaid from the Commanding Officers of the different Corps to which he shall have belonged, and upon obtaining an Order from the Secretary at War founded upon such Certificate, be entitled to receive, and the Paymaster General shall and he is hereby authorized to pay to such Person an Allowance at the Rate of Eight Shillings *per Diem*: Provided always, that no Person shall be entitled to receive such Allowance as aforesaid who shall hold any Military Office or Employment of Profit under Her Majesty

provided they
do not hold
certain other
Appoint-
ments.

Majesty, or any other Government; and that no Person who before the First Day of *June* One thousand eight hundred and twenty-nine held any Civil Place or Employment of Profit under the Crown, or in the Colonies or Possessions of Her Majesty beyond the Seas, or under any other Government, shall receive any Part of the said Allowance for any Time during which he held such Civil Place or Employment, except in the Cases in which the Emoluments of such Civil Place or Employment shall not exceed Three Times the Amount of the said Allowance, and unless in such excepted Cases the Royal Consent to the holding of such Civil Place or Employment shall have been signified through the Secretary at War; and that no Person appointed on or after the First Day of *June* One thousand eight hundred and twenty-nine to any Civil Place or Employment of Profit under Her Majesty, or in the Colonies or Possessions of Her Majesty beyond the Seas, or under any other Government, shall receive any Part of the said Allowance for any Time during which he shall hold such Civil Place or Employment: Provided always, that any Adjutant appointed after the Twenty-fourth Day of *December* One thousand eight hundred and fourteen, who shall have served faithfully, either in Her Majesty's Regular Forces or in the Regular or Local Militia, for the full Term of Thirty Years in the whole, whereof Fifteen shall have been in Service as an Adjutant of Regular Militia, and who shall be by Age or Infirmary rendered unfit for further Service, shall, upon producing to the Secretary at War a Certificate of such Service of Thirty Years as aforesaid from the Commanding Officers of the different Corps to which he shall have belonged, and upon obtaining an Order from the Secretary at War founded upon such Certificate, be entitled to receive an Allowance at the Rate of Six Shillings a Day, in like Manner and subject to the same Restrictions and Conditions as the aforesaid Allowance of Eight Shillings: Provided also, that no such Adjutant shall lose any Right he may have to Half Pay or Out-Pension by reason of receiving such Allowance of Eight Shillings or Six Shillings a Day as aforesaid, but shall be entitled to receive such Half Pay or Out-Pension as well as such Allowance: Provided always, that in Cases of very long and meritorious Services it shall be lawful for the Secretary at War to extend to any Adjutants appointed between the Twenty-fourth Day of *December* One thousand eight hundred and fourteen and the Ninth of *July* One thousand eight hundred and twenty-three the Terms, either in whole or in part, herein-before prescribed for the Retirement of Adjutants appointed before the Twenty-fourth Day of *December* One thousand eight hundred and fourteen.

Adjutants appointed since 24 Dec. 1814, entitled to receive, after Thirty Years Service, &c. an Allowance of 6s. per Day.

Right to Half Pay reserved.

Certain Terms extended to Adjutants in Cases of long and meritorious Services.

XXI. And whereas certain Allowances have been granted in pursuance of former Acts to Adjutants, Surgeons, and Quartermasters of Regular Militia who have by Age or Infirmary been rendered unfit for further Service; be it further enacted, That such Allowances shall be issued and paid, during the Continuance of this Act, in like Manner and subject to the same Restrictions as the Allowances granted by this Act to Adjutants who shall by Age or Infirmary be rendered unfit for further Service: Provided always, that, no Person receiving such Allowance shall by reason thereof forfeit his Right to any Half Pay to which he may be entitled.

Allowances to Adjutants, Surgeons, and Quartermasters.

Right to Half Pay reserved.

Reduced
Adjutants to
receive 4s.
per Day till
30th June
1838.

Right to Half
Pay reserved.

Adjutants
and Serjeant
Majors enti-
tled to Allow-
ance under
39 & 40 G. 3.
c. 44.

Reduced Ad-
jutants may
take such Al-
lowance with
any Pay or
other Allow-
ance under
39 & 40 G. 3.
c. 44. and
26 G. 3, c. 107.

Proviso.

XXII. And be it further enacted, That in case any Regiment, Battalion, or Corps of Militia shall have already ceased and determined or been reduced in its Establishment, or shall cease and determine or be reduced in its Establishment during the Continuance of this Act, the Sum of Four Shillings *per Diem* shall be paid to such Person as was or shall be actually serving as Adjutant to such Regiment, Battalion, or Corps at the Time of Reduction, from the Thirtieth Day of *June* One thousand eight hundred and thirty-seven, or from the Time such Regiment shall cease and determine or be reduced in its Establishment, (as the Case may be,) to the Thirtieth Day of *June* One thousand eight hundred and thirty-eight, in like Manner and subject to the same Restrictions and Conditions as the Allowances granted by this Act to Adjutants who shall by Age or Infirmary be rendered unfit for further Service: Provided always, that no such reduced Adjutant shall lose any Right he may have to Half Pay of the Navy, Army, Marines, or Provisional Battalion formed from the Militia, by reason of receiving such Allowance as last aforesaid, but shall be entitled to receive such Half Pay as well as such Allowance.

XXIII. And whereas certain Adjutants and Serjeant Majors are entitled to and have received certain Allowances in consequence of having been reduced under the Provisions of an Act passed in the Thirty-ninth and Fortieth Years of the Reign of His Majesty King *George* the Third, which Allowances have been continued, and as to such Adjutants augmented to Four Shillings *per Diem*; be it therefore enacted, That all such Adjutants and Serjeant Majors shall be entitled to receive and shall receive such Allowance from the Thirtieth Day of *June* One thousand eight hundred and thirty-seven to the Thirtieth Day of *June* One thousand eight hundred and thirty-eight.

XXIV. And be it further enacted, That every reduced Adjutant entitled to any Allowance granted under the said Act of the Thirty-ninth and Fortieth Years aforesaid, and continued by any subsequent Acts or by this Act, may receive and take such Allowance together with any Full Pay, Half Pay, or Allowance which was tenable, together with such reduced Allowance, under the Provisions of an Act passed in the Twenty-sixth Year of the Reign of His Majesty King *George* the Third, intituled *An Act for amending and reducing into One Act of Parliament the Laws relating to the Militia in that Part of Great Britain called England*, or under the Provisions of the aforesaid Acts of the Thirty-ninth and Fortieth Years of the Reign of His Majesty King *George* the Third: Provided always, that no such reduced Adjutant shall be entitled to receive any Allowance under this Act during the Time he shall hold any Military Office of Profit under Her Majesty other than such as aforesaid, or under any other Government, or any Civil Office or Employment under Her Majesty or any other Government, otherwise than according to the Provisions of this Act in relation to the Allowances granted to Adjutants on account of Age or Infirmary.

XXV. And

XXV. And whereas certain Allowances have been granted to reduced Adjutants of the Local Militia; be it further enacted, That the said Allowances shall be issued and paid during the Continuance of this Act in like Manner and subject to the same Restrictions as the Allowances of the Paymasters, Surgeons, and Quartermasters of the Regular Militia who were reduced in the Year One thousand eight hundred and twenty-nine: Provided always, that in the Cases in which any such Local Militia Adjutants had been permitted to receive the said Allowances whilst holding any Civil Offices under the Crown, to which Offices they had been appointed previously to the Twenty-eighth Day of July One thousand eight hundred and twenty-eight, it shall be lawful to continue the Payment of the said Allowances under the same Regulations and Restrictions as those under which the Permission was originally granted.

Restrictions as to Allowances to Reduced Adjutants of the Local Militia.

XXVI. And be it further enacted, That in every County in England and Wales, when the Regular Militia is or shall be raised, Allowances shall be made to the Clerks of General Meetings and to the Clerks of Subdivision Meetings of Lieutenancy for their Trouble and Expences in the due Execution of an Act passed in the Forty-second Year of the Reign of His Majesty King George the Third, intituled *An Act for amending the Law relating to the Militia in England, and for augmenting the Militia*, and of any other Acts relating to the said Militia; and also to the Clerks of General Meetings and the Clerks of Subdivision Meetings of Lieutenancy for their Trouble and Expences in the due Execution of an Act passed in the Thirty-seventh Year of the Reign of His Majesty King George the Third, intituled *An Act for the better raising and ordering the Militia Forces for the Tower Hamlets in the County of Middlesex*, and any other Acts relating to the said Militia; and also to the Clerks of General Meetings and the Clerks of Subdivision Meetings of the Lord Warden and Deputy Wardens of the Stannaries of Cornwall and Devon for their Trouble and Expences in the due Execution of an Act passed in the Forty-second Year of the Reign of His Majesty King George the Third, intituled *An Act for repealing an Act made in the Thirty-eighth Year of the Reign of His present Majesty King George the Third, intituled 'An Act for raising a Body of Miners in the Counties of Cornwall and Devon for the Defence of the Kingdom during the present War,' and for the more effectually raising and regulating a Body of Miners for the Defence of Great Britain*, and of any other Acts relating to the said Militia; and in every County, Stewartry, City, or Place in Scotland where the Regular Militia is or shall be raised Allowances shall also be made to the Clerks of General Meetings and Clerks of the several Subdivision Meetings, and to Schoolmasters, Constables, and other Officers, for their Trouble and Expences in the due Execution of an Act passed in the Forty-second Year of the Reign of His Majesty King George the Third, intituled *An Act to raise and establish a Militia in Scotland*, and of any other Acts relating to the said Militia.

Allowances to Clerks of General and Subdivision Meetings in England.

42 G. 3. c. 90.

37 G. 3. c. 25.

42 G. 3. c. 72.

Allowances to such Officers and others in Scotland.

42 G. 3. c. 91.

XXVII. And be it further enacted, That the said Allowances shall be granted as follows; (*videlicet*,) the Account shall be certified by the Lieutenant of the County, Stewartry, City, or Place, or by Two

Manner of granting Allowances.

or

Clerks, &c.
to make
Declaration
of the Just-
ness of their
Accounts.

or more Deputy Lieutenants acting for such County, Stewartry, City, or Place, or by the Lord Warden of the Stannaries of *Cornwall* and *Devon*, or by Two or more Deputy Wardens of the Stannaries of *Cornwall* and *Devon*; and the Clerks of General and Subdivision Meetings in *Great Britain*, and the Schoolmasters, Constables, and other Officers in *Scotland*, shall make a Declaration as to the Justness of the Accounts, in the following Terms respectively, before some Justice of the Peace; (*videlicet*,)

Declaration of a Clerk of General or Subdivision Meetings.

‘ I do solemnly declare, That the preceding Account, so far as regards my Interest therein, is a just and true Account of Business performed by me for and in behalf of the Public Service, according to the Manner therein set forth; and the Sums claimed as disbursed were actually paid by me.’

Declaration of a Schoolmaster, Constable, or other Officer in Scotland.

‘ I do solemnly declare, That I am the Parochial Schoolmaster [*or Constable or other Officer*] of the District of in the Subdivision of the County of; and that the preceding Account is a just and true Account of Business actually performed by myself for and in behalf of the Public Service, according to the Manner therein set forth; and that I was employed on such Business the full Time therein stated; and that the Sums claimed as disbursed were actually paid by me.’

And the said Accounts shall be transmitted to the Secretary at War, who is hereby empowered to issue the Allowances according to the Rates specified in the Table to this Act annexed, or such Sums as he shall think reasonable and proper.

Deputy Lieutenants may require the Attendance of any Surgeon residing near the Place of Meeting for Appeals.

XXVIII. And whereas it is expedient that the Deputy Lieutenants acting in any Subdivision of any County, Stewartry, City, or Place in *Great Britain*, and the Special Deputy Wardens acting in any Subdivision in the Stannaries of the Counties of *Cornwall* and *Devon*, should be assisted by the Advice of a Surgeon in deciding upon the Appeals of Persons claiming to be exempt from Service in the Militia by reason of bodily Infirmary, and upon the Fitness for Service of the Persons presenting themselves for Enrolment; be it therefore enacted, That it shall be lawful for any Two Deputy Lieutenants, and they are hereby empowered and required, to summon, by Two Days previous Notice in Writing, any competent Surgeon residing at or nearest to the Place where any Meeting for Appeals or Enrolment shall be held, to attend at such Meeting; and every such Surgeon shall, before he begins any such Examination, make the following Declaration, which Declaration any Deputy Lieutenant is hereby authorized to administer; (*videlicet*,)

Declaration to be made by Surgeon.

‘ I do solemnly declare, That I will, to the best of my Ability, faithfully and truly report as to the Fitness for Service
4 of

of the Man or Men about to be submitted to my Examination ; and that I will not receive from any of them any Fee or Reward whatever for any such Examination.

And every such Surgeon shall receive for each Day's Attendance at such Meeting a Sum not less than Half a Guinea nor exceeding Two Guineas, according to the Extent of the Duty performed : Provided always, that the Accounts and Vouchers upon which the said Allowances shall be recommended by the Deputy Lieutenants of the respective Subdivisions shall be transmitted to the Secretary at War, with the Accounts of the Lieutenancy Clerks, for Examination and Payment.

Allowance to Surgeon.

XXIX. And be it further enacted, That all Sums of Money granted for the Pay, Clothing, contingent and other Expences, and for the Allowances to the Officers and Men of the Regular and Local Militia when disembodied, shall be issued and paid, under the Direction of the Secretary at War, by the Acceptance of Bills or otherwise, according to such Regulations as have been or shall be established on that Head.

Pay, &c. to be issued under Directions of the Secretary at War.

XXX. And be it further enacted, That all Bills, Drafts, and Orders drawn for Pay or Allowances under this Act may be or shall be drawn upon unstamped Paper ; and no such Bill, Draft, or Order shall be void by reason of being drawn or written on unstamped Paper.

Bills drawn for Pay, &c. may be on unstamped Paper.

XXXI. Provided always, and be it further enacted, That no Fee or Gratiuity whatsoever shall be given or paid for or upon account of any Warrant or Sum of Money which shall be issued in relation to or in pursuance of this Act.

No Fee to be taken.

XXXII. And be it further enacted, That the Hire of any House or Place to be provided for the keeping of the Arms, Accoutrements, Clothing, or other Stores, and for the Residence and Accommodation of the Adjutant belonging to any Regiment or Battalion of Militia in *Ireland*, when not embodied, shall be defrayed by the County ; and the necessary Sum for that Purpose, and for all other Sums of Money and Expences payable and to be defrayed by the County in respect of the Militia of the County, and all Arrears of any such Hire due for the Hire or Rent of any House heretofore provided, and which Rent shall not have been presented and paid before the passing of this Act, or which shall hereafter become due for any such House, and all Arrears of any such other Sums or Expences aforesaid which shall have become due before the Certificate thereof shall be transmitted as hereafter mentioned, shall be raised by the Presentment of the Grand Jury of the said County, and which Presentment the Grand Jury of the County is hereby authorized and required to pass on a Certificate signed by the Chief Secretary of the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being, or, in the Absence of such Chief Secretary, by the Under Secretary or by the First Clerk in the Military Department, and specifying the Rent agreed to be paid for the same ; which Certificate shall be transmitted by such Chief or Under Secretary or First Clerk to the

Expence of House for depositing Arms and Stores of the Militia in *Ireland*, &c. to be defrayed by the County.

Provision as
to Amount
of Rent.

Clerk of the Crown for such County, or at any Time prior to the First Day of the Assizes for such County, or if in the County or County of the City of *Dublin*, then prior to the First Day of the Presenting Term: Provided that in no Case any greater Rent than Fifty Pounds Currency of the United Kingdom of *Great Britain* and *Ireland* shall be presented by such Grand Jury for the annual Rent of such House or Place.

Provisions of
this Act re-
lating to
Counties
shall extend
to Ridings,
Stewartries,
&c.

XXXIII. And be it further enacted, That all Provisions, Directions, Clauses, Matters, and Things in this Act contained, relating to Counties and to Regiments of Militia respectively, shall extend and be construed to extend to all Ridings, Shires, Stewartries, Cities, and Places, and to all Battalions, Corps, and independent Companies respectively, and to the Corps of Miners of *Cornwall* and *Devon*, as fully and effectually as if they were respectively repeated in every such Provision, Direction, Clause, and with relation to every such Matter or Thing.

Continuance
of Act.

XXXIV. And be it further enacted, That this Act shall take effect and continue in force from the Thirtieth Day of *June* One thousand eight hundred and thirty-seven until the First Day of *July* One thousand eight hundred and thirty-eight.

TABLE to which this Act refers.

SCALE OF RATES of REMUNERATION to the Clerks of General and Sub-division Meetings of Lieutenancy in Great Britain, including the Clerks of the Tower Hamlets and the Stannaries of Cornwall and Devon, and to Schoolmasters, Constables, and other Officers in Scotland, for carrying into execution Two Acts of Parliament passed in the Forty-second Year of the Reign of King George the Third, Cap. 90. and 91., and other Acts relating to the Militia.

ALLOWANCES TO THE CLERKS OF GENERAL MEETINGS.

	£	s.	d.
1. For Trouble in calling a General Meeting by Circular Letters or Advertisements (no separate Charge being made for writing the Letters or framing the Advertisements) -	0	7	6
2. For attending General Meetings, at which the Statutory Quorum of Lieutenancy shall be present, each -	5	5	0
For each Meeting which shall be necessarily adjourned by the Clerk in consequence of the Absence of the Lord Lieutenant or Deputy Lieutenants -	1	11	6
Which Allowances are to be in full for engrossing Minutes, et cetera.			
3. For filling up printed Precepts to the High or Chief Constable of each Subdivision, Hundred, Lathe, Rape, or Wapentake in England and Wales, including the Tower Hamlets and the Stannaries of Cornwall and Devon, to return Lists, each -	0	0	6
For filling up printed Precepts to the Schoolmasters, Chief Constables, or other Officers in Scotland, to return Lists, each -	0	0	6
4. For writing the annual Advertisements for regulating, arranging, and fixing the First Subdivision Meeting of the Deputy Lieutenants for receiving the Parochial Lists and hearing Appeals -	0	7	6
5. For arranging Subdivision Lists and making Abstracts thereof Schedule (D.) for the Privy Council, the Secretary of State, and the Secretary at War, (the latter Copy to be annexed to the Clerk's Accounts as a Voucher,) videlicet,			
In Counties furnishing a Quota of 200 Men or under in the original Number of the Militia -	2	2	0
In Counties furnishing from 201 to 400 Men -	3	3	0
Ditto - 401 to 600 Men -	4	4	0
Ditto - 601 to 800 Men -	5	5	0
Ditto - 801 Men and upwards -	6	6	0
6. For striking the Proportion of Men to serve for the several Hundreds, Rapes, Lathes, Wapentakes, or other Divisions of a County in England and Wales, and for each respective Parish or other Division of a County or Stewartry in Scotland, under the several Acts of Parliament relating to the Regular Militia, when necessary to be done:			
In Counties furnishing a Quota of 200 Men or under -	1	1	0
Ditto - from 201 to 400 Men -	2	2	0
Ditto - from 401 to 600 Men -	3	3	0
Ditto - from 601 to 800 Men -	4	4	0
Ditto - from 801 Men and upwards -	5	5	0

	£	s.	d.
7. For Trouble in engrossing in a Book the Names of the Men contained in each Subdivision Return of Enrolment, Schedule (E.):			
For engrossing 50 Names and under - - -	0	5	0
Ditto - - 51 to 150 Names - - -	0	10	0
Ditto - - 151 to 250 Names - - -	1	0	0
Ditto - - 251 Names and upwards - - -	1	10	0
8. For drawing out fair Copy of the Lord Lieutenant's Annual Return of the Militia for the County containing the Number, Names, and Rank of the Officers, and the Number of the Non-commissioned Officers, Drummers, and Private Men:			
In Counties furnishing One Regiment, Battalion, or Corps - - -	0	15	0
Ditto - - Two - Ditto - - -	1	10	0
Ditto - - Three - Ditto - - -	2	0	0
No separate Charge being made for Attendance upon the Lord Lieutenant or Deputy Lieutenants for his or their Signatures thereto.			
Note.—This Allowance is of course only chargeable by the General Clerks for those Counties in Scotland which furnish the greatest Proportion of Men towards the Formation of the Regiment, Battalion, or Corps.			
9. For Stationery:			
To the Clerk of General Meetings in a County where the Number in the original Quota of the Militia is under 300 Men - - -	2	0	0
Ditto - from 301 to 600 Men - - -	3	0	0
Ditto - from 601 to 900 Men - - -	4	0	0
Ditto - from 901 Men and upwards - - -	5	0	0
10. For Copyings, Correspondence, et cetera, et cetera:			
To the Clerk of the General Meetings in a County where the Number in the original Quota of the Militia is 200 Men or under - - -	2	0	0
In a County furnishing from 201 to 400 Men - - -	3	0	0
Ditto - from 401 to 600 Men - - -	4	0	0
Ditto - from 601 to 800 Men - - -	5	0	0
Ditto - from 801 Men and upwards - - -	6	0	0
11. The actual Amount expended for printing and publishing the Advertisements, for Postages, Expresses, and Messengers, to be allowed upon an Account, specifying each Article of Postage, et cetera, certified specially by the Lieutenancy, whose Certificate shall state that the same were necessary and actually performed.			
The Charge for printing and publishing Advertisements is invariably to be supported by the Receipt of the Person to whom paid.			

TRAINING AND EXERCISE.

12. For filling up printed Notices to the Clerks of Subdivision Meetings of the Time and Place fixed by the Lord Lieutenant or Deputy Lieutenants for assembling the Militia to be trained and exercised, each Notice - - -	0	0	6
13. For making out correct Abstracts from the Adjutant's or other Commanding Officer's Returns, Schedule (F.), in the Form Schedule (G.), for Her Majesty's Secretary of State for the Home Department, in Counties in England and			

Scotland furnishing a Quota towards the Formation of an entire Regiment or Battalion	£	s.	d.
- - - - -	1	0	0
In Counties in England, Wales, and Scotland furnishing One Regiment, Battalion, or Corps	2	0	0
Ditto - - - Two - Ditto - - -	3	0	0
Ditto - - - Three - Ditto - - -	4	0	0

ALLOWANCES TO CLERKS OF SUBDIVISION MEETINGS.

14. For Trouble in calling a Subdivision Meeting by Advertisement, no separate Charge being made for writing Letters or framing Advertisement	0	5	0
Or, for calling a Meeting by Circular Letters to the Deputy Lieutenants, the Adjutant, or other Commanding Officer, (no Charge being made for the Draft,) for each Letter	0	1	0
15. For attending Subdivision Meetings, for each of the Three first or principal Meetings at which the Statutory Quorum of Lieutenancy shall be present; videlicet, For receiving Lists and hearing Appeals, For balloting, For inrolling, And for the Meeting held to apportion the Deficiencies among the Parishes, et cetera, when necessary to be done; and also for calling out the Quota or Apportionment of the Subdivision to be trained and exercised, which Allowance shall be in full for engrossing Minutes and making up Lists	2	2	0
And for each Meeting held by Adjournment to complete the Business of any or either of the Three first or principal Meetings, above enumerated, which Allowance shall be in full for engrossing Minutes and making up Lists	1	5	0
And for each Meeting which shall have been summoned, but which is necessarily postponed by the Subdivision Clerk in consequence of the Absence of the Deputy Lieutenant	0	15	0
16. For filling up printed Precepts to the Chief or High Constables in England and Wales, including the Tower Hamlets and Stannaries of Cornwall and Devon, to give Notice of the Number of Men apportioned to serve for each Parish, and to issue out their Orders to the Petty Constables to serve Notices upon ballotted Men, each Precept	0	0	6
And for filling up printed Precepts to the Schoolmasters, Chief Constables, or other Officers in Scotland, for the Performance of similar Duty, each Precept	0	0	6
17. For Trouble in amending the Returns of Persons liable to serve in the Regular Militia, by taking out the Names of all Persons who may appeal, and whose Appeals or Claims of Exemption have been allowed, and inserting the Names of any Persons that have been omitted to be inserted, and in numbering the Returns, and making out the Tickets for the Balloting, after the Rate of Two Pounds for every One thousand Names of Persons returned liable to serve, and so in proportion for a greater or smaller Number of Men	£2 per 1,000		
18. For making out the Annual Abstracts of Lists, Schedule (C.), for the Use of the Clerk of General Meetings, where the original Quota or Appointment of the Subdivision is			
- 50 Men and under	2	2	0
From 51 to 150 Men	3	3	0
From 151 to 250 Men	4	4	0
From 251 Men and upwards	5	5	0

	£	s.	d.
19. For making out fair and true Copies of Lists of Men enrolled for each Subdivision of a County in Great Britain, including the Tower Hamlets and the Stannaries of Cornwall and Devon, for the Use of the Clerk of General Meetings, Schedule (E.), and the Colonel or Commandant of the Regiment of the County; videlicet,			
For a Roll containing 50 Names and under	0	5	0
from 51 to 150 Names	0	10	0
from 151 to 250 Names	0	15	0
from 251 Names and upwards	1	0	0
20. For Stationery to the Clerk of a Subdivision furnishing Men towards the Quota of a County, in the following Proportions; videlicet,			
For a Subdivision furnishing 50 Men and under	1	10	0
from 51 to 150 Men	2	0	0
from 151 to 250 Men	2	10	0
from 251 Men and upwards	3	0	0
21. For Correspondence, Copyings, et cetera, to the Clerk of a Subdivision furnishing Men towards the Quota of a County in the following Proportions; videlicet,			
For a Subdivision furnishing 50 Men and under	2	0	0
from 51 to 150 Men	3	0	0
from 151 to 250 Men	4	0	0
from 251 Men and upwards	5	0	0
22. The actual Amount expended for printing and publishing Advertisements, for Postage, Expresses, and Messengers, to be allowed upon an Account specifying each Article of Postage, and specially certified by the Lieutenancy, whose Certificate shall state that the same was necessary and actually performed.			
The Charge for printing and publishing Advertisements is invariably to be supported by the Receipt of the Person to whom paid.			
23. For Trouble in apportioning and distributing to the Constables of the several Townships, Parishes, et cetera, within the Limits of the Subdivision, the various Forms of Schedules, et cetera:			
For a Subdivision furnishing 50 Men and under	0	5	0
from 51 to 150 Men	0	10	0
from 151 to 250 Men	0	15	0
from 251 and upwards	1	0	0

TRAINING AND EXERCISE.

24. For filling up printed Precepts to the High or Chief Constable in each Subdivision of any County in England and Wales, including the Tower Hamlets and the Stannaries of Cornwall and Devon, to issue out their Warrants to the Petty Constables, Tithingmen, or other Officers within their respective Hundreds, to give Notice in Writing to the Men enrolled to attend the Training and Exercise of the Militia:			
For each Precept containing 50 Names and under	0	5	0
from 51 to 150 Names	0	10	0
from 151 to 250 Names	0	15	0
from 251 Names and upwards	1	0	0

	£	s.	d.
And for filling up printed Precepts to the Chief Constables, and to the Schoolmasters, Constables, or other Officers of the Parishes within the Subdivisions of any County, Stewartry, City, or Place in Scotland, to give Notice in Writing to the Men enrolled to attend the Training and Exercise of the Militia:			
For each Precept containing 10 Names and under	0	0	6
from 11 to 30 Names	0	1	0
from 31 to 50 Names	0	2	6
from 51 to 70 Names	0	4	0
from 71 to 100 Names	0	7	0
from 100 upwards	0	10	0
25. For making out full and true Lists of the Names and Dates of Enrolment of all Persons enrolled within each Subdivision respectively, for the Use of the Commanding Officer and Adjutant of each Regiment, Battalion, or Corps of any County, Stewartry, City, or Place in Great Britain, previously to the Training and Exercise			
For a Roll containing 20 Names and under	0	2	6
from 21 to 50 Names	0	5	0
from 51 to 150 Names	0	10	0
from 151 to 250 Names	0	15	0
from 251 and upwards	1	0	0
26. For correcting the Books of Enrolment of the Subdivision, so as to correspond accurately with the Extracts from the Adjutant's or other Commanding Officer's Return, Schedule (F.), of the State of the Classes of the Men forming the Quota or Appointment serving in the Regiment, Battalion, or Corps of Militia of any County, Stewartry, City, or Place in Great Britain:			
For a Subdivision furnishing 50 Men and under	0	5	0
from 51 to 150 Men	0	10	0
from 151 to 250 Men	0	15	0
from 251 and upwards	1	0	0

ALLOWANCES TO SCHOOLMASTERS IN SCOTLAND.

27. For filling up and delivering Notices to Householders, for each Day consisting of Eight Hours	0	5	0
28. For making out Lists, for each Folio consisting of Sixty Lines	0	1	0
29. For attending Meetings of Lieutenancy, each Meeting	0	10	0
30. For filling up and delivering Notices to ballotted Men, per Day	0	5	0
31. For Stationery, per Annum	0	5	0

ALLOWANCES TO CONSTABLES IN SCOTLAND.

32. For filling up and delivering Notices to Householders, for each Day consisting of Eight Hours	0	4	0
33. For making out Lists, for each Folio consisting of Sixty Lines	0	1	0
34. For attending each Meeting of Lieutenancy, per Day	0	4	0
35. For filling up and delivering Notices to ballotted and enrolled Men, per Day	0	4	0
36. For Stationery, where the Lists are made out by the Constables, per Annum	0	5	0

SPECIAL CONTINGENT ALLOWANCES applicable to the Clerks of General and Subdivision Meetings of Lieutenancy respectively.

37. When it is necessary to call a Person from a Distance to perform the Duty of a General or Subdivision Clerk, such Person shall have an Allowance for his travelling Expences, not exceeding Nine-pence per Mile, and the Expences of Tolls and Ferry Money; but the Particulars of such Expences shall be specified in a Statement, and certified by the Lieutenancy, and transmitted in support of the Charge in the Clerk's Annual Account.
38. The Expence necessarily incurred for the Use of the Room at the Place of Meeting to be allowed upon the Production of the Receipt of the Person to whom the same may be paid.

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ANNO PRIMO

VICTORIÆ REGINÆ.

C A P. LXIV.

An Act for regulating the Coroners of the County
of *Durham*. [15th July 1837.]

WHEREAS by an Act passed in the last Session of Parliament, intituled *An Act for separating the Palatine Jurisdiction of the County Palatine of Durham from the Bishoprick of Durham*, the Palatine Jurisdiction, Power, and Authority heretofore vested in and belonging to the Bishop of *Durham* was separated from the Bishoprick of *Durham*, and was transferred to and vested in His late Majesty King *William* the Fourth, His Heirs, and Successors: And whereas previously to the passing of the said Act the Coroners for the said County of *Durham* were appointed by the said Bishop, and it is necessary that Provision should be made for the future Appointment of the Coroners of the said County, and for their due Remuneration: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the present Coroners of the Four Wards, respectively called *Easington* Ward, *Chester* Ward, *Stockton* Ward, and *Darlington* Ward, in the said County of *Durham*, shall continue Coroners of the same Wards respectively during their respective Lives, or so long as they shall respectively well behave themselves; and that upon and after the Death, Removal, or Resignation of the Coroner either of *Easington* Ward or of *Chester* Ward (which Two Wards form the Northern Division of the said County of *Durham*) a Coroner shall be chosen

6 & 7 W., 4. c. 19.

Present Coroners to continue.

Election of future Coroners.

6 S

chosen for each of such Wards in the Place of the Coroner making a Vacancy, and so from Time to Time on every future Vacancy of the Office of Coroner of either of the said Wards, the Coroner of each of the said Wards to be chosen by its own Freeholders in like Manner" as Coroners are chosen in the Case of other Counties or Divisions of Counties in *England*; and that after the Death, Removal, or Resignation of the Coroner either of *Stockton* Ward or of *Darlington* Ward (which Two Wards form the Southern Division of the said County of *Durham*) a Coroner shall be chosen for each of such last-mentioned Wards in the Place of the Coroner making a Vacancy, and so from Time to Time on every future Vacancy of the Office of Coroner of either of the said last-mentioned Wards, the Coroner of each of such Wards to be chosen by its own Freeholders in like Manner as Coroners are chosen in the Case of other Counties or Divisions of Counties in *England*: Provided always, that on every Vacancy of the Office of Coroner in any of the said Wards, and until the Appointment of another Coroner in his Place, it shall be lawful for any of the remaining Coroners to act as Coroner for the Ward in which such Vacancy may have occurred.

In case of
Vacancy.

Coroners
liable to be
removed.

II. And be it enacted, That the Coroners of the said County of *Durham* shall be liable to be removed from their respective Offices in the same Manner as Coroners of the other Counties in *England* and *Wales*.

Coroners to
be entitled to
usual Fees
and Emolu-
ments.

25 G. 2. c. 29.

III. And be it enacted, That from and after the passing of this Act the Coroners of the said County of *Durham* shall be entitled to all the same Fees, and Emoluments as the Coroners of the other Counties in *England* and *Wales*; and so much of an Act passed in the Twenty-fifth Year of the Reign of His Majesty King *George* the Second, intituled *An Act for giving a proper Reward to Coroners for the due Execution of their Office, and for the Removal of Coroners on lawful Conviction of certain Misdemeanors*, as provides that no Coroner of the County Palatine of *Durham* shall be entitled to any Fee, Recompence, or Benefit given to or provided for Coroners by that Act, shall be and the same is hereby repealed.

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Printers to the Queen's most Excellent Majesty. 1837.



•ANNO PRIMO

VICTORIÆ REGINÆ.

C A P. LXV.

An Act to render valid certain Acts done in the Performance of Duties in the Court of Exchequer in *Scotland* by the Lord Ordinary on the Bills in the Court of Session, and for the better Regulation of the said Court of Exchequer.

[15th *July* 1837.]

WHEREAS an Act was passed in the Second Year of the Reign of His late Majesty King *William* the Fourth, intituled *An Act for making Provision for the Despatch of Business now done by the Court of Exchequer in Scotland*: And 2 & 3 W. 4. c. 54. whereas another Act was passed in the Fifth and Sixth Years of the Reign of His said late Majesty, intituled *An Act to amend, until the End of the next Session of Parliament, an Act of the Second Year of His present Majesty, for making Provision for the Despatch of the Business now done by the Court of Exchequer in Scotland*; which 5 & 6 W. 4. c. 46. Act was continued in force by another Act passed in the last Session of Parliament until the First Day of *July* One thousand eight hundred and thirty-seven, and from thence to the End of the then next Session of Parliament; and it was by the said second recited Act provided, that during the Indisposition or unavoidable Absence of the last remaining Baron of Exchequer the Duties of the said Court of Exchequer should be performed by the Judge of the Court of Session officiating as Lord Ordinary upon the Bills for the Time being:

being : And whereas the last remaining Baron of Exchequer was in a State of Indisposition and unable to attend the said Court of Exchequer for a considerable Time previous to and until his Death, which happened on the First Day of *June* last, and during such Indisposition the Duties of the said Court of Exchequer were performed by the Lord Ordinary on the Bills for the Time being : And whereas certain of such Duties were performed by such Lord Ordinary after the Death of the said last remaining Baron, and previous to the Appointment by His late Majesty of One of the Judges of the Court of Session to perform the Duties of the said Court of Exchequer in Terms of the said first-recited Act ; and Doubts are entertained as to the Validity of the Performance of such Duties : Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That all Acts done in the Performance of the said Duties in the said Court of Exchequer by the said Lord Ordinary on the Bills, after the Death of the said last remaining Baron of Exchequer and previous to the Appointment by His late Majesty of One of the Judges of the Court of Session to perform such Duties, shall be and the same are hereby declared to be as valid and effectual as if the same had been performed by the said last remaining Baron, or during his Life and Indisposition and unavoidable Absence from the said Court.

Certain Acts
done by Lord
Ordinary de-
clared valid.

The Lord
Ordinary may
in future per-
form the
Duties of
the Court of
Exchequer in
certain Cases.

II. And whereas it is expedient to provide a Remedy against the like Inconvenience in future ; be it enacted, That it shall be lawful to the Lord Ordinary on the Bills for the Time being to perform the Duties of the said Court of Exchequer after the Death of the Judge of the Court of Session appointed by His late Majesty, or of any Judge to be hereafter appointed to perform such Duties under the said Act of the Second Year of the Reign of His late Majesty, and until the Appointment of another such Judge, in like Manner as during the Indisposition or unavoidable Absence of the Judge so appointed.

Rights exer-
cised by the
Court of
Exchequer to
be vested in
the Treasury.

III. And be it enacted and declared, That all Rights and Immunities heretofore enjoyed by the said Court of Exchequer or the last remaining Baron thereof, with regard to Appointments or Offices in the said Court, in so far as the same are not otherwise provided for, shall be vested in and exercised by the Lord High Treasurer or Commissioners of Her Majesty's Treasury for the Time being.

Recited Act
5 & 6 W. 4.
c. 46. made
perpetual.

IV. And be it enacted, That the said recited Act of the Fifth and Sixth Year of the Reign of His said late Majesty shall be and the same is hereby made perpetual.



ANNO PRIMO

VICTORIÆ REGINÆ.

C A P. LXVI.

An Act to extend to *Ireland* the Act of the Fifth and Sixth Years of His late Majesty's Reign consolidating and amending the Laws relating to the cruel and improper Treatment of Animals.

[15th July 1837.]

WHEREAS an Act was passed in the Fifth and Sixth Years of the Reign of His late Majesty, intituled *An Act to consolidate and amend the several Laws relating to the cruel and improper Treatment of Animals, and the Mischiefs arising from the driving of Cattle, and to make other Provisions in regard thereto*:
And whereas the Provisions in the said Act contained with respect to the Application of Penalties incurred for Offences thereunder render it doubtful whether Convictions for such Offences can be had in *Ireland*; and it is expedient to amend such Provisions so that the Operation of the said Act may be extended to that Part of the United Kingdom: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said recited Act shall and the same is hereby declared to extend to *Ireland*.

5 & 6 W. 4.
c. 59.

Recited Act
extended to
Ireland.

Distribution
of Penalties
on Con-
victions under
recited Act
in Ireland.

Damages to
be paid to
Party in-
jured.

Name of Dis-
pensary, &c.
to which a
Part of any
Penalty is to
be paid to be
inserted in
the Con-
viction.

II. Provided always, and be it further enacted, That all pecuniary Penalties which shall be recovered before any Justice of the Peace under the Provisions of the said Act upon Convictions for Offences against the Provisions of the said Act committed in *Ireland* shall respectively be divided, paid, and distributed in the following Manner; (that is to say,) one Moiety thereof to such Dispensary, Hospital, or Infirmary as the Justice before whom the Conviction shall have taken place may direct, to be by the Treasurer thereof applied in aid of the Funds maintaining such Institution, and the other Moiety thereof, with full Costs, to the Person who shall inform and prosecute for such Offence, or to such other Person as to such Justice shall seem fit and proper; and that all and every Sum or Sums of Money which shall or may be ascertained, determined, adjudged, and ordered by any Justice of the Peace under the Authority of the said Act to be paid as the Amount of any Damage or Injury occasioned by the Commission of any of the Offences therein mentioned shall be paid to the Person who shall or may have sustained such Damage or Injury, according to the Order or Determination and at the Discretion of any such Justice.

III. And be it further enacted, That in all Cases of Convictions for Offences contrary to this Act committed in *Ireland* the Name of the Dispensary, Hospital, or Infirmary to which the Justice before whom any such Conviction may take place may direct one Moiety of the Penalty to be paid as aforesaid shall be inserted in the Form by the said Act prescribed for drawing up Convictions under the same instead of the Words "Overseers of the Poor of the said Parish, to be by them applied according to the Directions of the Statute in that Case made and provided" in such Form contained.

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Printers to the Queen's most Excellent Majesty. 1837.



• ANNO PRIMO

VICTORIÆ REGINÆ.

C A P. LXVII.

An Act to amend an Act of the Fifth Year of His Majesty King George the Fourth, for consolidating and amending the Laws relative to the Arbitration of Disputes between Masters and Workmen. [15th July 1837.]

WHEREAS an Act was passed in the Fifth Year of the Reign of His Majesty King George the Fourth, intituled *An Act to consolidate and amend the Laws relative to the Arbitration of Disputes between Masters and Workmen*: And whereas it is provided by the said Act that all Complaints under the same by any Workman for any Cause, except as to bad Materials, shall be made within Six Days after such Cause of Complaint shall arise; but the said Period of Six Days has been found too short for the Purpose thereby intended: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the same be extended to Fourteen Days.

Period for making Complaints extended.

II. And whereas it is enacted by the said Act, that various Differences under the same shall be subject as therein mentioned to the Adjudication of any Justice of the Peace or Magistrate of any County, Riding, Division, Stewartry, Barony, City, Burgh, Town, or Place within which the Parties reside: And whereas many Justices having Jurisdiction where the Party complained against resides to Cases

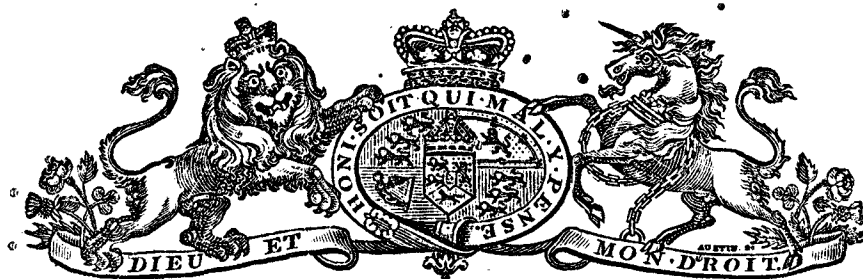
have Jurisdiction in the Matters of the said Act.

Cases have arisen where no Justice of the Peace or Magistrate could be found who has Jurisdiction where both of the Parties differing as aforesaid reside; in consequence whereof it has been doubted whether the above beneficial Enactment can in such Cases take effect; and for the Remedy thereof it is necessary that the Jurisdiction and Powers which are by the said Act conferred on the Justices or Magistrates of the District where both Parties reside shall in future be exercised by the Justices or Magistrates of the District where the Party complained against resides; be it enacted, That in the Place of the Justices or Magistrates of the District where both Parties reside the Justices or Magistrates of the District where the Parties complained against reside shall have the said Jurisdiction and Powers; and whatever Acts and Duties are by the said Act required to be done by the first-mentioned Justices or Magistrates, or any One of them, shall be done by the last-mentioned Justices or Magistrates, or by any One of them; and the said Act shall in all respects be construed as if the Words "where the Party complained against resides" had been originally inserted in the Third Section of the said Act instead of the Words "within which the Parties reside."

Interpretation of "Justice."

III. And be it further enacted, That wherever the Expression "Justice of the Peace" occurs in the said Act it shall be construed to mean "Magistrate".

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• ANNO PRIMO

VICTORIÆ REGINÆ.

C A P. LXVIII.

An Act to provide for Payment of the Expences of holding Coroners Inquests. [15th July 1837.]

WHEREAS the holding of Coroners Inquests on dead Bodies is attended with divers necessary Expences, for the Payment whereof no certain Provision is made by Law, and such Expences have usually been discharged without any lawful Authority for that Purpose out of the Monies levied for the Relief of the Poor; and it is expedient to make adequate legal Provision for the Payment of such Expences: Be it therefore enacted by the Queen's, most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Justices of the Peace for every County, Riding, Division, or District in *England and Wales*, in General or Quarter Sessions assembled, shall, at the General or Quarter Sessions of the Peace to be holden next after the passing of this Act, or at some subsequent General or Quarter Sessions, and the Town Council of every Borough having a Coroner shall at the Quarterly Meeting of such Council which shall be holden next after the passing of this Act, or at some subsequent Quarterly Meeting thereof, make or cause to be made a Schedule of the several Fees, Allowances, and Disbursements which, on the holding of any Inquest on any dead Body within such County, Riding, Division, District, or Borough, may be lawfully paid and made by the Coroner holding such Inquest (other than the Fees payable to Medical Witnesses under and by virtue of an Act passed in the last Session of

Schedule to be made of Fees payable on holding Inquests.

6 & 7 W. 4.
c. 89.

Parliament, intituled *An Act to provide for the Attendance and Remuneration of Medical Witnesses at Coroners Inquests*); and it shall be lawful for such Justices in General or Quarter Sessions assembled, and for such Town Council at any such Quarterly Meeting as aforesaid, from Time to Time to alter and vary such Schedule as to such Justices and Town Council respectively may seem fit; and the said Justices and Town Council respectively shall cause a Copy of every such Schedule to be deposited with the Clerk of the Peace of such County, Riding, Division, District, or Borough, and one other Copy thereof to be delivered to every Coroner acting in and for such County, Riding, Division, District, or Borough as aforesaid; and whenever any Inquest shall be holden on any dead Body the Coroner holding the same shall immediately after the Termination of the Proceedings advance and pay all Expences reasonably incurred in and about the holding thereof, not exceeding the Sums set forth in the said Schedule, and which Sums so advanced and paid shall be repaid to the said Coroner in manner herein-after mentioned: Provided always, that until such Schedule as aforesaid shall have been made the Coroner shall advance and pay, at his Discretion, all reasonable Expences of holding every Inquest within the Limits of his Jurisdiction, and shall be repaid the Amount thereof, in the same Manner as if the Sums so paid had been included in a Schedule duly made according to the Provisions of this Act.

Coroners to
pay Medical
Witnesses.

II. And be it enacted, That so much of the said Act passed in the last Session of Parliament as directs the Coroner to make out an Order on the Churchwardens and Overseers of the Parish in which any Death shall have happened for Payment of the Remuneration or Fee payable under the Provisions of that Act to any Medical Practitioner, and as directs such Churchwardens and Overseers to pay the same out of the Funds collected for the Relief of the Poor of such Parish, shall be and the same is hereby repealed, and in lieu thereof the Coroner shall, immediately after the Termination of the Proceedings at any Inquest, advance and pay such Remuneration or Fee to every Medical Witness summoned under the Provisions of the said Act, and the Amount thereof shall be repaid to the said Coroner in manner herein-after mentioned.

Coroners of
Counties to
lay their
Accounts
before the
Sessions, and
Coroners of
Boroughs to
lay them
before the
Town
Council.

III. And be it enacted, That every Coroner acting in and for any County, Riding, Division, or District shall, within Four Months after holding any Inquest, cause a full and true Account of all Sums paid by him under the Provisions of this Act, including all Sums paid to any Medical Witness as aforesaid, to be laid before the Justices of the Peace of such County, Riding, Division, or District in General or Quarter Sessions assembled, or at any Adjournment thereof; and every Coroner of any Borough shall, within Four Months after holding any Inquest, cause a full and true Account of all Sums paid by him under the Provisions of this Act, including as aforesaid, to be laid before the Town Council of such Borough; and all such Accounts shall be accompanied by such Vouchers as under the Circumstances may to such Justices or Council respectively seem reasonable; and such Justices or Council respectively may, if they shall think fit, examine the said Coroner on Oath as to such Account, and

on being satisfied of the Correctness thereof such Justices or Council respectively shall make an Order on the Treasurer of the said County, Riding, Division, or District, or of the said Borough (as the Case may be), for Payment to the said Coroner not only of the Sum due to him on such Account, but also of a Sum of Six Shillings and Eight-pence for every Inquest holden by him as aforesaid, over and above all other Fees and Allowances to which he is now by Law entitled; and the Treasurer of any County, Riding, Division, or District on whom any such Order shall be made shall, out of the Monies in his Hands arising from the County Rates, and the Treasurer of any Borough on whom any such Order shall be made shall, out of the Monies in his Hands on account of the Borough Fund, pay to the said Coroner the Sum mentioned in such Order, without any Abatement or Deduction whatever; and every such Treasurer shall, on passing his Accounts, be allowed all Sums which he shall pay in pursuance of any such Order as aforesaid.

The Coroner, to be repaid out of the County Rates or the Borough Fund.

IV. And be it enacted, That this Act and the several Provisions herein contained shall extend and be applicable to the City of *London* and the Town and Borough of *Southwark*.

Act applicable to London.

V. And be it enacted, That this Act may be altered or repealed by any Act in this present Session of Parliament.

Act may be altered.

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ANNO PRIMO

VICTORIÆ REGINÆ.

C. A. P. LXIX.

An Act to amend an Act for the Commutation of
Tithes in *England* and *Wales*.

[15th July 1837.]

WHEREAS an Act was passed in the Seventh Year of the Reign of His late Majesty King *William* the Fourth intituled *An Act for the Commutation of Tithes* 6 & 7 W. 4. in *England* and *Wales*; and it is expedient to amend the said Act in certain respects: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Tithe Commissioners for *England* and *Wales* shall have Power, if they shall think fit, to confirm under their Hands and Seal any Instrument of voluntary Apportionment, and also any Agreement for giving Land instead of Tithes, made according to the Provisions of the said Act, to which shall be annexed a Map or Plan agreed to be adopted by a Parochial Meeting, although they shall not be satisfied of the Accuracy of such Map, or Plan or that the several Quantities of Land specified in such Apportionment or Agreement are therein truly stated; but no Recital of Quantity or Admeasurement of Land, nor any Map or Plan annexed to any such confirmed Apportionment or Agreement, nor any Copy thereof, shall

Apportionments and Agreements may be confirmed, although the Commissioners are not satisfied of the Accuracy of the Maps.

be deemed Evidence of the Quantity of Land referred to therein or of the Accuracy of such Map or Plan, unless the said Map or Plan, as well as the Instrument of Apportionment or Agreement, shall be signed by the Commissioners and sealed with their official Seal: Provided always, that the Commissioners, in case they shall confirm such voluntary Apportionment or Agreement, but shall not think proper to seal such Map or Plan, shall certify under their Hands upon some Part of such Map or Plan that the same is the Map or Plan referred to in such voluntary Apportionment or Agreement, as the Case may be, which Certificate shall be received as Evidence of that Fact.

For deter-
mining
Parochial
Boundaries.

II. And be it enacted, That Two Thirds in Value of the Owners of the Lands in any Parish or District of which the Tithes are to be commuted, and respecting the Boundaries of which any Dispute or Doubt shall arise, may, by Writing under their Hands or the Hands of their Agents, signed at a Parochial Meeting called for that Purpose according to the Provisions of the said Act, in the Case of a Parochial Meeting for making a voluntary Agreement for the Commutation of the Tithes of a Parish, signify their Request to the Tithe Commissioners that the said Commissioners should inquire into and settle such Boundaries; and thereupon the said Commissioners, or any Assistant Commissioner specially appointed under their Hands and Seal for that Purpose, shall, by Examination of Witnesses upon Oath (which Oath the said Commissioners or Assistant Commissioner are and is hereby empowered to administer), and also using any other Powers, contained in the said Act, and by such other legal Ways and Means as they or he shall think proper, inquire into, ascertain, and set out the Boundaries of that Parish or District: Provided always, that such Commissioners or Assistant Commissioner (before they or he proceed to set out the Boundaries of such Parish or District) shall give public Notice of their or his Intention, by Writing under their or his Hands or Hand, to be affixed on the most public Doors of the Churches of that Parish or District, and of every Parish and District thereunto adjoining, and also by Advertisement to be inserted in some Newspaper circulated in the County in which such Parish or District is situated, and also by Writing to be delivered to or left Ten Days at least before the Time of setting out such Boundaries at the last or usual Place of Abode of the respective Land Owners, or the respective Agents of such Land Owners, through or abutting upon whose Lands the Boundaries of such Parish or District are supposed to pass; and such Commissioners or Assistant Commissioner shall, within One Month after ascertaining and setting out the Boundaries, publish the same by causing a Description thereof in Writing to be delivered to or left at the Place of Abode of One of the Churchwardens or Overseers of the Poor of the Parish or District of which the Boundary shall be so set out, and of every Parish or District thereunto adjoining, and also of every Land Owner or his Agent through or abutting upon whose Lands the Boundary so set out shall pass.

III. And

III. And be it enacted, That any Person interested in the Judgment of the said Commissioners or Assistant Commissioner respecting the said Boundaries, who shall be dissatisfied with such Determination, may within Six Calendar Months next after the Publication of the said Boundaries, by delivering or leaving such Description as aforesaid, move the Court of Queen's Bench to remove the said Judgment by Certiorari into the said Court, the Party making such Application giving Eight Days Notice of such Application, and of the Matter and Ground thereof, in Writing, to the said Commissioners; and the Decision of the said Commissioners or Assistant Commissioner, or, in case of Removal as aforesaid, the Decision of the said Court therein, shall be final and conclusive, as to the Boundaries of such Parish or District, for all Purposes whatsoever; and after the Expiration of the said Term of Six Calendar Months, the Judgment shall not be removed or removeable by Certiorari or any other Writ or Process whatsoever into any of Her Majesty's Courts of Record at Westminster or elsewhere; and no Certiorari shall be allowed to remove any such Judgment unless the Party prosecuting the Certiorari shall before Allowance thereof enter into a Recognizance before one of the Justices of the said Court, in the Sum of Fifty Pounds, with Condition to prosecute the same without wilful Delay, and to pay to the said Commissioners their full Costs and Charges within One Calendar Month after the Judgment shall be confirmed, to be taxed according to the Custom of the Court.

IV. And be it enacted, That it shall not be necessary to state in any Instrument of Apportionment the several Quantities of Wheat, Barley, and Oats charged upon the Estate of any Land Owner, or upon any Portion of such Estate included in such Apportionment; provided that the whole Sum agreed or awarded to be paid by way of Rent-charge instead of the Tithes of the whole Parish or District be therein stated, and the whole Number of Bushels of Wheat, Barley, and Oats ascertained to be the fixed Quantity of Corn of which the variable Value is to be paid in Money by way of Rent-charge, and also the several Sums of Money which were at the Time of the Confirmation of the Apportionment of equal Value with the Quantities of Wheat, Barley, and Oats apportioned on each Estate or each separate Portion thereof, according to the Provisions of the said Act, be also stated therein.

V. And be it enacted, That it shall not be necessary to state in any Instrument of voluntary Apportionment made in consequence of a Parochial Agreement, whether the several Lands are then cultivated as Arable, Meadow, or Pasture Land, or as Wood Land, Common Land, or howsoever otherwise, nor to state the Amount charged on the several Closes of every individual Land Owner, if Three Fourths of the Land Owners interested in the said Apportionment shall by some Writing under their

Particulars of Land not necessary to be stated in Instruments of voluntary Apportionments, if Three Fourths of the Land Owners so request.

their Hands request the Commissioners to direct that such Statements be omitted.

When only One Land Owner no Draft of Apportionment nor Meeting for Objections necessary.

VI. And be it enacted, That it shall not be necessary for the Commissioners to send a Copy of any Draft of voluntary Apportionment made in consequence of a Parochial Agreement for the Inspection of any Parties, nor to hold any Meeting to hear any Objection thereto, when One Land Owner shall be seised, either in Fee Simple or Fee Tail, of the whole of the Lands that are not Glebe Lands in such Parish.

Prices at which Conversion from Money into Corn is to be made.

VII. And be it enacted, That the Prices at which the Conversion from Money into Corn is to be made, at the Time of the Confirmation of each Apportionment, according to the Provisions of the said Act, are Seven Shillings and One Farthing for a Bushel of Wheat, Three Shillings and Eleven-pence Halfpenny for a Bushel of Barley, and Two Shillings and Nine-pence for a Bushel of Oats.

For the Assessment and Recovery of Rates.

VIII. And be it enacted, That all Rates and Charges to which any Rent-charge payable in lieu of Tithes shall be liable may be assessed upon the Owner of the Rent-charge, and the Whole or any Part thereof may be recovered from any One or more of the Occupiers of the Lands out of which such Rent-charge shall issue, in case the same shall not be sooner paid by the Owner of the Rent-charge upon whom the same shall be assessed, in like Manner as any Poor Rate assessed on such Occupier or Occupiers in respect of such Lands may be recovered, upon giving to such Occupier Twenty-one Days Notice in Writing previous to any one of the Half-yearly Days of Payment of the Rent-charge, and the Collector's Receipt for the Payment of such Rates and Charges, or of any Part thereof, shall be received in satisfaction of so much of the Rent-charge by the Owner thereof; but no Occupier shall be liable to pay at any one Time, in respect of such Rates and Charges, any greater Sum than the Rent-charge payable in respect of the Lands occupied by him in the same Parish shall amount to for the current Half Year in which such Notice shall have been given.

For determining the Lands chargeable with Rent-charge.

IX. And be it enacted, That in all Cases where the same Person or Body Politic is not entitled to the Perception of the whole of the Tithes of any Parish, and the Liability of the Lands to the Payment of Tithes is not in dispute, but the Lands out of which each Tithe Owner is entitled to the Perception of his Portion or Parcel of Tithes are not well defined, and also in all Cases where such Lands lie dispersedly throughout the Parish, it shall be lawful, at any Time before the Confirmation of any Apportionment under the Provisions of the said Act, for the Land Owners and Tithe Owners having any Interest in such Lands or Tithes (with the Consent of the Diocesan and of the Patron of the Living whenever Tithes payable to any Spiritual Person in right of his Benefice are in question), to agree, or for the Tithe Commissioners to determine, in case the Commutation shall have

been made by their Award, that the several Rent-charges which shall be made payable in lieu of Tithes to each of the Tithe Owners respectively shall be fixed and apportioned upon such particular Lands as to them shall seem convenient, so that no Lands are charged with more than their due Proportion of Rent-charge, when the Determination shall be by the compulsory Award of the Commissioners; and every Agreement or Determination to that Effect, when confirmed by the Tithe Commissioners, shall be binding upon and conclusive against all Persons and Bodies Politic, notwithstanding any Doubt as to the Identity of the Lands out of which the Tithes originally issued in lieu whereof such distinct Rent-charges are made payable.

X. And be it enacted, That with the first Payment of Rent-charge under any Agreement for the Commutation of Tithes shall also be paid any Sum which shall be agreed to be paid in consideration of the Time (if any) which may intervene between the Termination of any previous Agreement or Composition for the Payment of Tithe and the Time at which, by the said Agreement for Commutation, the Lands shall be discharged from the Payment of Tithe, regard being had to the whole annual Amount of Rent-charge agreed to be paid, and to the other Circumstances of each Case.

Provision for the Period intervening between the End of former Compositions and the Commutation.

XI. And be it enacted, That the Parties to a Parochial Agreement may agree thereby, or by any supplemental Agreement made and confirmed in like Manner, that the Lands included in the said Agreement shall be discharged from the Payment of Tithes (except as excepted in the said Act) from the First Day of *January* next preceding, or from the First Day of *April*, or First Day of *July*, or First Day of *October* preceding or following the Confirmation of the Apportionment instead of the First Day of *January* next following the Confirmation: Provided always, that in every Case the first Payment of Rent-charge shall be made and recoverable by the Means provided in the said Act, on the Expiration of Six Calendar Months from the Time from which such Lands are discharged from the Payment of Tithes.

Parties to a Parochial Agreement may fix when it shall begin to operate.

XII. And be it enacted, That no Deed or Declaration authorized by the said Act for the Commutation, Release, or Merger of Tithes shall be chargeable with any Stamp Duty.

Deeds not chargeable with Stamp Duty.

XIII. And be it enacted, That any Assistant Commissioner appointed to assist in carrying the said Act into execution may take the Oath required of him by the said Act before any Two Justices for the County, Riding, Division, Liberty, or Jurisdiction wherein such Assistant Commissioner shall be resident at the Time of his Appointment, or before a Master Extraordinary in Her Majesty's High Court of Chancery; and every such Oath so taken shall be as valid and effectual as if the same had been taken before One of the Judges of Her Majesty's Court of Queen's

Assistant Commissioner may be sworn before Two Justices or a Master in Chancery.

Bench or Common Pleas or One of the Barons of the Court of Exchequer.

This Act to
be taken as
Part of
6 & 7 W.4.
c. 71.

XIV. And be it enacted, That this Act shall be taken to be a Part of the said Act for the Commutation of Tithes in *England* and *Wales*.

LONDON: Printed by GEORGE EYRE and ANDREW SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1837.



ANNO PRIMO

VICTORIÆ REGINÆ.

C A P. LXX.

An Act to authorize the Commissioners for the Affairs of *India* and the Court of Directors of the *East India* Company to suspend the subsisting Enactments concerning the Fourfold System of Nomination of Candidates for the *East India* Company's College at *Haileybury*, and for providing during such Suspension for the Examination of Candidates for the said College.

[15th July 1837.]

WHEREAS in an Act passed in the Third and Fourth Years 3 & 4 W. 4. of the Reign of His present Majesty, intituled *An Act c. 85. for effecting an Arrangement with the East India Company, and for the better Government of His Majesty's Indian Territories, till the Thirtieth Day of April One thousand eight hundred and fifty-four*, are contained several Enactments respecting the Admission of Students into the College of the said Company at *Haileybury*, upon a Principle then intended to be brought into practice of there being Four Candidates and no more than One Student admitted into the said College for every expected Vacancy in the Civil Establishment of *India*, according to a yearly prospective Estimate by the said Act provided for: And whereas it is expedient to provide, in manner herein-after mentioned, for the Suspension of the same Enactments: May it therefore please Your Majesty that it may be enacted; and

The India Board and Court of Directors may suspend the Operation of Enactments respecting Admission of Students ;

be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Board of Commissioners for the Affairs of *India* and the Court of Directors of the *East India* Company shall, from the passing of this Act, have and be invested jointly with full Power from Time to Time to suspend and to revive the Operation of the said Enactments for and during such Period or successive Periods of Time as the said Board of Commissioners and Court of Directors may in their Discretion think desirable.

and in such Case the Board to appoint Examiners.

II. And whereas in case of any Suspension of the Operation of the said Enactments it will be expedient to establish some System of Examination of Candidates for Admission to the said College at *Haileybury* ; be it therefore further enacted, That in case the said Board of Commissioners and Court of Directors shall at any Time or Times hereafter suspend the Operation of the said Enactments it shall be lawful for the said Board of Commissioners and they are hereby required to appoint, during the Pleasure of the said Board, any competent Person or Persons to be an Examiner or Examiners of all Candidates for Admission to the said College at *Haileybury*, and to make, and afterwards alter, vary, or repeal, and again make, any Regulations or Provisions concerning such Examinations, but so that during any Suspension of the said Enactments there shall be and continue in operation some System of Examination according to the Intênt of this Enactment.

Court of Directors to pay Expences of System of Examination.

III. And be it further enacted, That it shall be lawful for the Court of Directors of the said *East India* Company and they are hereby required to pay the Expences of any System of Examination to be at any Time established by virtue of this Act, provided such Expences do not exceed in any One Year the Sum of Five hundred Pounds.

Part of 33 G. 3. c. 52. repealed.

IV. And be it further enacted, That so much of an Act passed in the Thirty-third Year of the Reign of His late Majesty King *George the Third*, intituled *An Act for continuing in the East India Company for a further Term the Possession of the British Territories in India, together with their exclusive Trade, under certain Limitations ; for establishing further Regulations for the Government of the said Territories, and the better Administration of Justice within the same ; for appropriating to certain Uses the Revenues and Profits of the said Company ; and for making Provision for the good Order and Governments of the Towns of Calcutta, Madras, and Bombay*, as enacts that no Person shall be appointed or sent out to *India* as a Writer after he has attained the Age of Twenty-two Years, shall be and the same is hereby repealed.

Limiting the Ages of Students and Writers.

V. Provided always, and it is hereby further enacted, That it shall not be lawful for any Person to be admitted to the said College as a Student whose Age shall exceed Twenty-one Years, nor for any Person to be appointed or sent out to *India* as a Writer in the said Company's Service whose Age shall exceed Twenty-three Years.

VI. And

VI. And be it further declared and enacted, That all Persons who since the Tenth Day of *April* One thousand eight hundred and thirty-four have been appointed or sent out to *India* as Writers in the said Company's Service, after receiving a Certificate of their due Qualification under the Hand of the Principal of the said College, and all Persons who previously to the Tenth Day of *April* One thousand eight hundred and thirty-nine shall be appointed or sent out to *India* as Writers in the said Company's Service, after receiving such Certificate of their due Qualification, shall be deemed to have been and to be duly appointed as Writers, notwithstanding such Persons may not have resided for Four Terms at the said College.

All Persons appointed or sent out as Writers since 10th April 1834 and previously to 10th April 1839 to be deemed duly appointed.

VII. And be it further enacted, That any Rules made for the Admission of Students into the *East India* College at *Haileybury* by the Commissioners for the Affairs of *India*, in pursuance of the Provisions of this Act, shall be laid before both Houses of Parliament within Fourteen Days after the Commencement of the Session of Parliament then next ensuing.

Rules made in pursuance of this Act to be laid before Parliament.

LONDON: Printed by GEORGE EYRE and ANDREW SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1837.



ANNO PRIMO

VICTORIÆ REGINÆ.

C A P. LXXI.

An Act to continue until the First Day of *August* One thousand eight hundred and thirty-eight, and to the End of the then Session of Parliament, Two Acts of the last Session of Parliament, for suspending Appointments to certain Dignities and Offices in Cathedral and Collegiate Churches, and to Sinécure Rectories, and for preventing the immediate Effects on Ecclesiastical Jurisdictions of the Measures in progress for the Alteration of Dioceses. [15th July 1837.]

WHEREAS an Act was passed in the last Session of Parliament, intituled *An Act for suspending for One Year* 6 & 7 W. 4. *Appointments to certain Dignities and Offices in Cathedral and Collegiate Churches, and to Sinécure Rectories :* And whereas another Act was passed in the same Session, intituled *An Act for carrying into effect the Reports of the Commissioners appointed to consider the State of the Established Church in England and Wales, with reference to Ecclesiastical Duties and Revenues, so far as they relate to Episcopal Dioceses, Revenues, and Patronage,* in which latter Act are contained certain Provisions which were to continue in force only for One Year after the passing thereof, or, if Parliament should be then sitting, till the End of the Session of Parliament :

First-recited
Act and cer-
tain Parts of
last-recited
Act further
continued.

Parliament: And whereas it is expedient to continue for a further Time the said first-recited Act and the temporary Provisions of the said secondly-recited Act: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said firstly herein-before recited Act and the said temporary Provisions of the said secondly herein-before recited Act shall continue and be in force until the First Day of *August* One thousand eight hundred and thirty-eight, and, if Parliament shall be then sitting, until the End of the then Session of Parliament.

Nothing in
this Act to
prevent
Bishops, &c.
holding Visi-
tations or
consecrat-
ing new
Churches, &c.

II. Provided always, and be it enacted, That nothing contained in this Act shall be construed to prevent any Bishop or Archdeacon to whom Ecclesiastical Jurisdiction and Authority over any Parts of *England* or *Wales* shall have been given by any Order in Council under the Provisions of the said last-recited Act passed in the Session held in the Sixth and Seventh Years^o of the Reign of His late Majesty, from holding Visitations of the Clergy, and at such Visitations admitting Churchwardens, receiving Presentments, and doing all other Acts, Matters, and Things by Custom appertaining to the Visitation of Bishops and Archdeacons in the Places assigned to his Jurisdiction and Authority under the Enactments of the said recited Act: Provided also, that nothing contained in this Act shall be construed to prevent any Bishop from consecrating a new Church or Chapel or a new Burial Ground within his Diocese as assigned by the Provisions of the said recited Act.

LONDON: Printed by GEORGE EYRE and ANDREW SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1837.



ANNO PRIMO

VICTORIÆ REGINÆ.

C A P. LXXII.

An Act to provide for the Appointment of Lords Justices in the Case of the next Successor to the Crown being out of the Realm at the Time of the Demise of Her Majesty.

[15th July 1837.]

WHEREAS it may happen that whensoever our Sovereign Lady the Queen (whom God long preserve) shall demise and depart this Life, the next Successor entitled to the Crown of these Realms may at such Time be out of the Realm of the United Kingdom of *Great Britain* and *Ireland*, in Parts beyond the Seas: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That for the continuing of the Administration of the Government in the Name of such Successor until his or her Arrival in the United Kingdom of *Great Britain* and *Ireland*, the Officers herein-after named who shall be in the Possession of their Offices at the Time of such Demise of Her Majesty, that is to say, the Arch-

Lords Justices appointed in case the Successor should be out of the Realm at the Queen's Death,

bishop of *Canterbury* at that Time being, the Lord Chancellor or Lord Keeper of the Great Seal of *Great Britain* at that Time being, the Lord High Treasurer at that Time being, the Lord President of the Council at that Time being, the Lord Privy Seal at that Time being, the Lord High Admiral of the United Kingdom at that Time being, and the Lord Chief Justice of the Queen's Bench at that Time being, shall be and are by virtue of this Act constituted and appointed Lords Justices of the United Kingdom of *Great Britain* and *Ireland*, and are and shall be by virtue of this Act empowered, in the Name of such Successor and in his or her Stead, to use, exercise, and execute all Powers, Authorities, Matters, and Acts of Government and Administration of Government in as full and ample Manner as such next Successor could use, exercise, or execute the same if he or she were present in Person within this United Kingdom of *Great Britain* and *Ireland*, until such Successor shall arrive or otherwise determine their Authority.

The Successor by Three Instruments may add others.

II. Nevertheless be it enacted, That such Person who is or shall be next entitled to succeed to the Crown of these Realms shall be and is hereby empowered, at any Time during Her Majesty's Life, by Three Instruments under his or her Hand and Seal, revocable or to be altered at his or her Will and Pleasure, to nominate and appoint such and so many Persons, being natural-born Subjects of this Realm of *Great Britain* and *Ireland*, as he or she shall think fit, to be added to the Officers before named to be Lords Justices as aforesaid, who shall be empowered by Authority of this Act to act with them as Lords Justices of the United Kingdom of *Great Britain* and *Ireland*, as fully and in the same Manner as if they had been herein particularly named; which said Lords Justices, or the major Part of them which shall assemble, so as such major Part be not fewer than Five, shall and may use, exercise, and execute all the Powers and Authorities before mentioned as fully and effectually, to all Intents and Purposes, as if all of them had been assembled together and consenting.

The Three Instruments to be transmitted into Great Britain, and severally sealed up and deposited.

III. And be it enacted, That the said Three Instruments, revocable and to be altered as aforesaid, shall be transmitted into the United Kingdom of *Great Britain* and *Ireland* to the resident or accredited Minister of such next Successor, whose Credentials shall be enrolled in the High Court of Chancery, and to the Archbishop of *Canterbury* for the Time being, and the Lord Chancellor or Lord Keeper of the Great Seal of *Great Britain* for the Time being, close sealed up, and, after they are so transmitted, shall be put into several Covers, which shall be severally sealed up with Three several Seals of such resident or accredited Minister, and of the Archbishop of *Canterbury*, and of the Lord Chancellor or Lord Keeper of the Great Seal of *Great Britain*; and one of them after it is so sealed up shall be lodged and deposited in the Hands of such resident or accredited Minister, one other of them in the Hands of the said Archbishop of *Canterbury*, and one other of them in the

Hands of the said Lord Chancellor or Lord Keeper; and that if the next Successor shall be minded to revoke or alter his or her Nomination or Appointment made as aforesaid; and shall by Three Writings of the same Tenor, under his or her Hand and Seal, require the said Instruments deposited as aforesaid to be delivered up to some Person or Persons thereby authorized to receive the same, then and in such Case the said Persons with whom the said Instruments shall be deposited, and every of them, and, in case of any of their Deaths, their Executors or Administrators respectively, and every other Person in whose Custody any of the said Instruments shall happen to be, shall deliver up the said Instruments accordingly unopened, and they are hereby respectively authorized and required so to do; and if any of the said Persons with whom the said Instruments shall be so deposited shall happen to die, or be removed from their respective Offices or Employments during the Life of Her present Majesty, such Person and Persons, and, in case of any of their Deaths, their Executors or Administrators respectively, and every other Person in whose Custody any of the said Instruments shall happen to be, shall, with all convenient Speed, deliver such of them as shall be in his or their Custody unopened to the Successor or Successors of the Person so dying or removed as aforesaid; which said several Instruments so sealed up and deposited as aforesaid shall immediately after the Demise of Her Majesty be brought before the Privy Council unopened, where the same shall be forthwith opened and read, and afterwards enrolled in the High Court of Chancery.

Revocation
or Alteration
thereof.

In case of the
Death of any
of the Per-
sons with
whom the In-
struments are
deposited.

IV. And be it enacted, That if all the said Instruments deposited as aforesaid shall not be produced before the said Privy Council as aforesaid, then any One or more of the said Instruments so produced as aforesaid shall be as effectual to give such Authority as aforesaid to the Persons therein named as if all of them had been produced as aforesaid; and if there be not any Nomination by such Instruments, then the said Seven Officers, or any Five of them, are constituted and appointed to be Lords Justices of the United Kingdom of *Great Britain and Ireland*, and are hereby invested with the Powers and Authorities mentioned in this Act.

Any one of
the Instru-
ments pro-
duced to the
Privy Council
to be effec-
tual.

V. Provided always, and be it enacted, That the said Lords Justices shall not have or exercise any Power or Authority to grant any Rank, Title, or Dignity of the Peerage by Letters Patent, Writ of Summons, or any other Manner whatever, or to summon any Person to the House of Lords by any Title to which such Person is the Heir Apparent, or to determine the Abeyance of any Rank, Title, or Dignity of Peerage which now is or hereafter shall be in Abeyance in favour of any of the Co-heirs thereof, by Writ of Summons or otherwise: Provided also, that the said Lords Justices shall not have any Power or Authority, without express Directions from such next Successor, to grant, lease, or dispose of any Lands, Tenements, or Hereditaments whatsoever now belonging or hereafter to belong to Her Majesty,

Lords Ju-
stices not to
have Power
to grant
Rank, Title,
or Dignity of
Peerage, &c.

Majesty, Her Heirs or Successors; nor to grant any Office or Employment whatever in Reversion; nor to grant for any longer Term than during the Pleasure of such next Successor any Office, Employment, Salary, or Pension whatever, except such Offices and Employments in Possession for the Term of the natural Life of or during the good Behaviour of the Grantee or Grantees thereof respectively, as by Law must be so granted.

Lords Jus-
tices not to
dissolve the
Parliament
without
Direction,
nor to alter
certain Sta-
tutes.

6 Ann. c. 7.

12 W. 3. c. 2.

13 Car. 2. c. 4.

5 Ann. (S.)

VI. And be it enacted, That the said Lords Justices constituted as aforesaid shall not dissolve such Parliament as shall be sitting at the Time of such Demise as aforesaid, or as shall be thereupon convened and sit, as provided by an Act made in the Sixth Year of the Reign of Queen *Anne*, intituled *An Act for the Security of Her Majesty's Person and Government, and of the Succession to the Crown of Great Britain in the Protestant Line*, without express Directions from such next Successor; and that the said Lords Justices shall be and are hereby restrained and disabled from giving the Royal Assent in Parliament to any Bill or Bills in Parliament for repealing, changing, or in any respect varying from the Order and Course of Succession to the Crown of this Realm as the same stands now established in the Illustrious House of *Hanover* by the Act of the Twelfth Year of the Reign of King *William* the Third, intituled *An Act for the further Limitation of the Crown, and better securing the Rights and Liberties of the Subject*; or to any Act for repealing or altering the Act made in the Thirteenth Year of the Reign of King *Charles* the Second, intituled *An Act for the Uniformity of Public Prayers, and Administration of Sacraments and other Rites and Ceremonies, and for establishing the Form of making, ordaining, and consecrating Bishops, Priests, and Deacons in the Church of England*; or one Act of the Fifth Year of the Reign of Queen *Anne*, made in *Scotland*, intituled *An Act for securing the Protestant Religion and Presbyterian Church Government*.

Lords Jus-
tices to take
certain Oaths.

1 W. & M.
c. 8.

6 G. 3. c. 53.

VII. And be it enacted, That the said Lords Justices, before they act or intermeddle in their said Offices or any of the Authorities hereby to them given, shall take the Oaths of Allegiance and Supremacy in the Form prescribed and required by an Act passed in the First Year of the Reign of King *William* and Queen *Mary*, intituled *An Act for abrogating the Oaths of Supremacy and Allegiance, and appointing other Oaths*; and shall also take the Oath of Abjuration in such Manner and Form as is set down and prescribed in an Act passed in the Sixth Year of the Reign of King *George* the Third, intituled *An Act for altering the Oath of Abjuration and the Assurance; and for amending so much of an Act of the Seventh Year of Her late Majesty Queen Anne, intituled 'An Act for the Improvement of the Union of the Two Kingdoms,' as, after the Time therein limited, requires the Delivery of certain Lists and Copies therein mentioned to Persons indicted of High Treason or Misprision of Treason*; and also the following Oaths; (that is to say,)

‘ I A.B.

‘ I *A. B.* do solemnly promise and swear, That I will truly and faithfully execute the Office of Lord Justice of the United Kingdom of *Great Britain* and *Ireland*, according to an Act of Parliament made in the First Year of the Reign of Her Majesty Queen *Victoria*, intituled [*here insert the Title of this Act*]; and that I will administer the Government of this Realm and of all the Dominions thereunto belonging according to the Laws, Customs, and Statutes thereof, and will in all Things to the utmost of my Power and Ability consult and maintain the Safety, Honour, and Dignity of His [*or Her, as the Case shall require*] Majesty, and the Welfare of His [*or Her, as the Case shall require*] People.

‘ So help me GOD.’

‘ I DO faithfully promise and swear, That I will inviolably maintain and preserve the Settlement of the true Protestant Religion, with the Government, Discipline, Rights, and Privileges of the Church of *Scotland*, as established by Law.

‘ So help me GOD.’

And shall also make and subscribe the Declaration required to be made and subscribed by all Persons admitted into any Office, Employment, or Place of Trust under Her Majesty, Her Heirs and Successors, by an Act made in the Ninth Year of the Reign of King *George* the Fourth, intituled *An Act for repealing so much of several Acts as imposes the Necessity of receiving the Sacrament of the Lord's Supper as a Qualification for certain Offices and Employments.* 9 G. 4. c. 17.

Which said Oaths and Declaration shall be taken and subscribed before the Privy Council of the United Kingdom of *Great Britain* and *Ireland* in being at the Time of such Demise of Her Majesty, who are hereby required and empowered to administer and receive the same, and to enter the same in the Council Books.

VIII. And be it declared and enacted, That if after such Demise of Her Majesty and before the Arrival of any succeeding King or Queen in the United Kingdom of *Great Britain* and *Ireland* another Parliament shall be called by the Lords Justices by Writs tested in their Names, by the Arrival of such succeeding King or Queen in the United Kingdom of *Great Britain* and *Ireland* such Parliament shall not be dissolved, but after such Arrival shall proceed without any new Summons. Parliament called by Lords Justices not to be dissolved by Arrival of Successor.

IX. Provided always, and be it enacted, That if any of the aforesaid Seven Offices, other than the Office of Lord High Treasurer of the United Kingdom of *Great Britain* and *Ireland*, shall be in Commission at the Time of the Demise of Her Majesty, then the First Commissioner of such respective Commission shall be one of the said Lords Justices, and use, exercise, and execute all Powers, Authorities, Matters, and Acts of Government by this Act vested in the said Lords Justices, according to the Directions and Provisions Proviso in case any of the great Offices are in Commission at the Queen's Death.

of this Act, in as full and ample Manner as if such Office or Offices were in the Hands of a single Person: Provided also, that if there be no Lord High Treasurer of *Great Britain* and *Ireland*, and the Office of the Treasurer of the Exchequer shall be in Commission, then the First in that Commission shall be one of the said Lords Justices.

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ANNO PRIMO

VICTORIÆ REGINÆ.

C A P. LXXIII.

An Act for better enabling Her Majesty to confer certain Powers and Immunities on trading and other Companies. [17th July 1837.]

WHEREAS divers Associations are and may be formed for trading or other Purposes, some of which Associations it would be inexpedient to incorporate by Royal Charters, although it would be expedient to confer on them some of the Privileges of and incident to Corporations created by Royal Charters, and also to invest such Associations or some of them with certain other Powers and Privileges: And whereas it would also be expedient to extend the Powers of Her Majesty in reference to the Creation of Corporations, and to the conferring of Privileges upon Corporations, and upon other Bodies or Companies enabled to sue and be sued: And whereas by an Act passed in the Sixth Year of the Reign of His Majesty King George the Fourth, intituled *An Act to repeal so much of an Act passed in the Sixth Year of His late Majesty King George the First as relates to the restraining of several extravagant and unwarrantable Practices in the said Act mentioned; and for conferring additional Powers upon His Majesty with respect to the granting of Charters of Incorporation to trading and other Companies*, it was amongst other things enacted, that in any Charter thereafter to be granted by His Majesty, His Heirs or Successors, for Incorporation of any Company or Body of Persons, it should and might be lawful in and by such Charter to declare and provide that the Members of such Corporation should be individually liable in their Persons and Property

6 G. 4. c. 91.

4 & 5 W. 4.
c. 94.

So much of
6 G. 4. c. 91.
as is herein-
before set
forth, and
the 4 & 5 W. 4.
c. 94. re-
pealed.

Privileges
may be
granted by
Letters
Patent to
Persons as-
sociated for
trading or
other Pur-
poses.

The Letters
Patent so
granted may
provide that
Suits shall be
carried on in
the Name of
One of the
Officers of
any Company
appointed for
that Purpose.

for the Debts, Contracts, and Engagements of such Corporation, to such Extent, and subject to such Regulations and Restrictions, as His Majesty, His Heirs or Successors, might deem fit and proper, and as should be declared and limited in and by such Charter, and the Members of such Corporation should thereby be rendered so liable accordingly: And whereas by an Act passed in the Session of Parliament held in the Fourth and Fifth Years of the Reign of His late Majesty, intituled *An Act to enable His Majesty to invest trading and other Companies with the Powers necessary for the due Conduct of their Affairs, and for the Security of the Rights and Interests of their Creditors*, His Majesty, His Heirs and Successors, were empowered to grant to unincorporated Companies and Associations certain Privileges in such last-mentioned Act set forth: And whereas the aforesaid Provisions of the said recited Acts have not been found effectual for the Purposes thereby intended, and it is therefore expedient to repeal the same, and to make such Provisions in reference to the several Matters aforesaid as are herein-after contained: Now therefore be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That so much of the said Act of the Sixth Year of the Reign of His Majesty King *George* the Fourth as is herein-before set forth, and also the said recited Act of the Session of Parliament held in the Fourth and Fifth Years of the Reign of His late Majesty King *William* the Fourth, shall be and they are hereby respectively repealed.

II. And be it enacted, That it shall and may be lawful for Her Majesty, Her Heirs and Successors, by Letters Patent to be from Time to Time for that Purpose issued under the Great Seal of the United Kingdom of *Great Britain and Ireland*, or in *Scotland* under the Seal appointed by the Articles of Union to be used instead of the Great Seal thereof, to grant to any Company or Body of Persons associated together for any trading or other Purposes whatsoever, and to the Heirs, Executors, Administrators, and Assigns of any such Persons, although not incorporated by such Letters Patent, any Privilege or Privileges which, according to the Rules of the Common Law, it would be competent to Her Majesty, Her Heirs and Successors, to grant to any such Company or Body of Persons in and by any Charter of Incorporation.

III. And be it enacted, That in any such Letters Patent so to be granted as aforesaid by Her Majesty, Her Heirs or Successors, to any such Company or Body of Persons so associated together as aforesaid, but not incorporated, it shall and may be lawful, in and by such Letters Patent, either expressly or by a general or special Reference to this Act, to provide and declare that all Suits and Proceedings, whether at Law, in Equity, or in Bankruptcy or Sequestration, or otherwise howsoever, as well in *Great Britain and Ireland* as in the Colonies and Dependencies thereof, by or on behalf of such Company or Body, or any Person or Persons as Trustee or Trustees for such Company or Body, against any Person or Persons, whether Bodies Politic or others, and whether Members or not of such Company or

Body,

Body, shall be commenced and prosecuted in the Name of One of the Two Officers for the Time being to be appointed to sue and be sued on behalf of such Company or Body, and registered in pursuance of the Directions of such Appointment and Registration respectively herein-after contained; and that all Suits and Proceedings, whether at Law or in Equity, by or on behalf of any Person or Persons, whether Bodies Politic or others, and whether or not Members of such Company or Body, against such Company or Body, shall be commenced and prosecuted against one of such Officers, or if there shall be no such Officer for the Time being, then against any Member of such Company or Body: Provided nevertheless, that nothing in this Act or in such Letters Patent contained or to be contained shall prevent the Plaintiff from joining any Member of such Company or Body with such Officer as a Defendant in Equity, for the Purpose of Discovery, or in case of Fraud.

Proviso,

IV. And be it enacted, That it shall and may be lawful, in and by such Letters Patent so to be granted to any such Body or Company as aforesaid, to declare and provide that the Members of such Company or Body so associated as aforesaid shall be individually liable in their Persons and Property for the Debts, Contracts, Engagements, and Liabilities of such Company or Body to such Extent only *per Share* as shall be declared and limited in and by such Letters Patent; and the Members of such Company or Body shall accordingly be individually liable for such Debts, Contracts, Engagements, and Liabilities respectively to such Extent only *per Share* as in such Letters Patent shall be declared and limited; such Liability nevertheless to be enforced in such Manner and subject to such Provisions as are herein-after contained.

Individual Liability of Members of a Company may be restricted by Letters Patent.

V. And be it enacted, That every such Company or Body to which any such Privileges or Powers as herein-before mentioned shall be granted under the Authority of this Act shall be entered into or formed by a Deed of Partnership or Association, or an Agreement in Writing of that Nature; and the Undertaking shall by such Deed or Agreement be divided into a certain Number of Shares to be there specified; and in such Deed or Agreement, or in some Schedule thereto, there shall be set forth the Name or Style of the said Company or Body, the Names or Styles of the Members of the said Company or Body, the Date of the Commencement thereof, the Business or Purpose for which the said Company or Body is formed, and the principal or only Place for carrying on such Business; and in such Deed or Agreement there shall also be contained the Appointment of Two or more Officers to sue or be sued on behalf of such Company or Body in manner herein-after mentioned.

Deed of Partnership to be executed.

VI. And be it enacted, That such Company or Body as aforesaid shall, within Three Calendar Months after the Grant of such Letters Patent as aforesaid, make or cause to be made a Return to such one of the Offices for Enrolment herein-after mentioned as shall be required under the Provisions of this Act, containing the Date of the Grant of such Letters Patent as aforesaid, the Name or Style of the said Company or Body, the Business or Purpose for which the said

Return to be made as herein-after mentioned of the granting of Letters Patent, and Style of Company.

said Company or Body is formed, the principal or only Place for carrying on such Business; the total Number of Shares in the said Company or Body (and each of which Shares is to be distinguished by a separate Number in regular Succession), the Amount to which each Share shall render the Holder thereof liable, the Names and (except as to Bodies Politic) the Places of Abode of all the Members thereof, and the distinctive Number or Numbers of the Share or respective Shares which each Member holds; and such Company or Body shall also at the same Time make a Return of the Names and Descriptions of the Officers appointed by such Company or Body to sue and be sued on behalf thereof in manner aforesaid; such Return to be made in the Form in the Schedule (A.) to this Act annexed.

Name of
Company
not to be
changed after
Registry.
If Place of
Business
changed,
Return to be
made.

VII. And be it enacted, That during the Continuance of any such Company or Body after it shall have been so registered no Change shall be made in the Name or Style thereof; and if the principal or only Place for carrying on the Business of the said Company or Body shall be changed the said Company or Body shall within Three Calendar Months after such Change make or cause to be made a Return to the said Office as aforesaid of such Change in the Form in Schedule (B.) to this Act annexed.

When Per-
sons cease to
be Members
of Company
or Corpora-
tion, except
by Transfer
of Shares, or
of Change of
Name of
Member,
Company to
make Return
within Three
Months.

VIII. And be it enacted, That in case any Person shall cease to be a Member of such Company or Body (except by means of the Transfer by Deed or Writing of any Share therein), or in case of the Addition of any Person thereto (except by means of the Transfer of any Share as aforesaid), or of the Change of the Name of any Member thereof by Marriage or otherwise, the said Company or Body shall, within Three Calendar Months after Information shall be received by the said Company or Body of any Person so ceasing as aforesaid, or of such Change or Addition as aforesaid, make or cause to be made a Return to the said Office as aforesaid, containing the Names and Places of Abode of all Persons having ceased to be Members thereof (except as aforesaid), and the Names and Places of Abode of all Persons having become Members thereof (except as aforesaid), and specifying any Change in the Name of any Member thereof by Marriage or otherwise; such Return to be made in One of the Forms in the Schedule (C.) to this Act annexed, as the Case may be.

On Transfer
of Shares,
Notice to be
given to the
Company or
Corporation
by Trans-
feree.

IX. And be it enacted, That on the Transfer by Deed or Writing of any Share in any such Company or Body as aforesaid, a Notice in Writing, specifying the Date of such Transfer, the distinguishing Number of the Share transferred, the Name and (except in the Case of a Body Politic) the Place of Abode of the Person by whom or on whose Behalf and of the Name and (except as aforesaid) the Place of Abode of the Person to whom such Transfer is made, shall be given to the said Company or Body, by leaving the Transfer, when executed by both Parties, or some Note or Memorandum thereof signed by them, at the principal or only Office of the said Company or Body.

X. And

X. And be it enacted, That in case of the Transfer of any Share in such Company or Body, the said Company or Body shall, within Three Calendar Months after receiving such Notice as aforesaid of such Transfer, make or cause to be made a Return to the said Office as aforesaid, containing the Date of such Transfer, the distinguishing Number of the Share transferred, the Name and (except in the Case of a Body Politic) the Place of Abode of the Person by whom or on whose Behalf such Transfer is made, and of the Person to whom such Transfer is made, in the Form in Schedule (D.) to this Act annexed; and such Company or Body are hereby required, on the Request in Writing of either of the Parties, forthwith to make such Return accordingly.

Company or Corporation to make Return within Three Months after receiving Notice of Transfer.

XI. And be it enacted, That where the Extent *per* Share of the Liability of the individual Members of any such Company or Body shall have been limited by Letters Patent as aforesaid, it shall be lawful for any Person who shall or may from Time to Time have advanced or paid any Sum in consequence or by virtue of any Execution or Diligence issued against him in respect of any Share in such Company or Body, under any Judgment, Decree, Interlocutor, or Order to be obtained against any Officer of the said Company or Body, or any Member thereof, in manner herein-after mentioned, to make a Return thereof to such Office as aforesaid in the Form in Schedule (E.) to this Act annexed; and every such Return shall be accompanied with a proper Voucher or Vouchers of the Fact of such Payment, without which the same shall not be registered as herein-after mentioned.

Any Person having made Payment in respect of a Share in a Company under any Judgment against such Company to make a Return thereof to Court of Chancery.

XII. And be it enacted, That if any Sum or Sums shall at any Time be repaid by any such Company or Body as last aforesaid in respect of any such Sum which may have been so advanced or paid by virtue of such Execution or Diligence, the said Company or Body shall forthwith make or cause to be made a Return to such Office as aforesaid, specifying the Amount of such Repayment, in the Form in Schedule (F.) to this Act annexed.

Company to make Return when Repayment is made of Money so advanced by any Person.

XIII. And be it enacted, That in case of the Death or Resignation or Removal of any Officer appointed to sue and be sued on behalf of any Company or Body to be formed in pursuance of any of the Provisions of this Act, the said Company or Body shall forthwith appoint in his Stead another Officer to sue and be sued on behalf of such Company or Body; and shall, within Three Calendar Months after the Death, Resignation, or Removal of such Officer as aforesaid, make or cause to be made a Return to the said Office as aforesaid, containing as well the Name and Description of the Person who has ceased to be such Officer in manner aforesaid as the Name and Description of the Officer who has been appointed to sue and be sued on behalf of such Company or Body; such Return to be made in the Form in Schedule (G.) to this Act annexed.

On Death, Resignation, or Removal of Officer appointed to sue and be sued on behalf of Company or Body, another to be appointed, and Return made.

XIV. And be it enacted, That all Returns to be made in manner aforesaid by such Company or Body shall be signed by One of such Officers, and shall be verified by a Declaration of such Officer made pursuant

Returns how to be signed and verified.

5 W.4. c. 62. pursuant to the Provisions of the Statute of the Fifth Year of His late Majesty's Reign, intituled *An Act to repeal an Act of the present Session of Parliament, intituled 'An Act for the more effectual Abolition of Oaths and Affirmations taken and made in various Departments of the State, and to substitute Declarations in lieu thereof; and for the more entire Suppression of voluntary and extra-judicial Oaths and Affidavits; and to make other Provisions for the Abolition of unnecessary Oaths,* except that if there shall be no such Officer, or such Officer shall refuse to act, then such Return shall be signed and verified as aforesaid by some Member of the said Company or Body.

Return of Names of Members, &c. not to be rendered invalid by unintentional Error.

XV. And be it enacted, That any Return to be made in manner aforesaid of the Name or Place of Abode of any original Member of such Company or Body, or of any Person to or in whom any Share in such Company or Body shall be transferred or become vested, shall not be rendered invalid for the Purposes of this Act by any Error or Omission in the same, if the said Company or Body shall, within One Calendar Month after Information of such Error or Omission shall be received by such Company or Body, cause a correct Return to be made to the said Office as aforesaid in the Form in Schedule (F.) to this Act annexed: Provided always, that this Clause shall not invalidate or prejudice any intermediate Transaction or Matter whatsoever which shall have *bonâ fide* taken place or proceeded upon the Faith of such erroneous or defective Return, nor shall the Benefit of this Clause extend to any Error or Omission which shall be fraudulent.

Returns, to what Office to be made respectively in England, Scotland, or Ireland.

XVI. And be it enacted, That where the principal or only Place for carrying on the Business of any such Company or Body as aforesaid shall be situated in any Part of *England* or *Wales*, the Returns herein-before directed shall be made to the Enrolment Office of the Court of Chancery in *England*; and where such principal or only Place for carrying on such Business shall be situate in any Part of *Scotland*, such Returns shall be made to His Majesty's General Registry Office at *Edinburgh*; and where such principal or only Place for carrying on such Business shall be situated in any Part of *Ireland*, such Returns shall be made to the Enrolment Office of the Court of Chancery in *Ireland*.

By whom Returns are to be registered.

XVII. And be it enacted, That all such Returns as are herein-before directed to be made to the Enrolment Office of the Court of Chancery in *England* shall be registered by the Clerks of Enrolments in Chancery, or their Deputy, and that all such Returns as are herein-before directed to be made to the General Registry Office at *Edinburgh* shall be registered by the Lord Clerk Register or his Deputy, and all such Returns as are herein-before directed to be made to the Enrolment Office of the Court of Chancery in *Ireland* shall be registered by the Clerks of Enrolments in Chancery in *Ireland*, or their Deputy, in Books to be by them respectively kept for that Purpose, and that an alphabetical Index shall be kept of the Names of such Companies or Bodies, with References to such Returns, and that there shall be paid for the registering of each Return a Fee of

Sixpence

Sixpence *per* Folio, and no more; and that any Person shall be at liberty to inspect such Books and Index, and that there shall be paid for such Inspection a Fee of One Shilling, and no more; and that any Person shall be at liberty to require a Copy of any such Return, to be certified by the said Clerks or their Deputy, and that there shall be paid for such Certificate a Fee of One Shilling and Sixpence for each Folio of such Copy, and no more; and the Day of the Registration of every Return to be made in pursuance of this Act shall be written on such Return by the said Clerks or their Deputy.

XVIII. And be it enacted, That a Copy, so certified as aforesaid, of such Return, including the Date to be marked on such Return, shall be received in Evidence in all Proceedings, whether Civil or Criminal, and shall also be received as Evidence of the Day of the registering thereof.

Certified
Copy of such
Return, &c.
to be received
in Evidence.

XIX. And be it enacted, That such Orders and Directions as to the Forms of the Returns to be made in pursuance of this Act, and the Mode of keeping the Register, and of making the Index thereof, and of any other Matters incidental thereto, as may be deemed expedient, may from Time to Time be made, altered, or varied as follows; that is to say, as regards the Registration to be made in the Enrolment Office in the Court of Chancery in *England*, by the Lord Chancellor, Lord Keeper, or First Lord Commissioner of the Great Seal, and the Master of the Rolls, jointly; as regards the Registration to be made in the General Registry Office in *Edinburgh*, by the Lord Clerk Register and Lords of Council and Session jointly; and as regards the Registration to be made in the Court of Chancery in *Ireland*, by the Lord Chancellor of *Ireland* and Master of the Rolls in *Ireland* jointly.

Regulations
as to Forms
of Returns
and Mode of
keeping the
Register, &c.
by whom to
be made.

XX. And be it enacted, That no Person becoming a Member of any such Company or Body by the Transfer of any Share therein, or otherwise, shall be entitled to sue for or recover any Share of the Profits thereof, unless and until a Return of the Transfer or other Fact whereby he shall so become a Member shall be registered pursuant to the Provisions herein-before contained.

No Person
entitled to
share in Pro-
fits till regis-
tered as a
Member.

XXI. And be it enacted, That any Person ceasing to be a Member of any such Company or Body, whether by the Transfer of any Share therein, or by Death or otherwise, shall be considered for all Purposes of Liability as continuing a Member of such Company or Body until a Return of the Transfer or other Fact whereby he shall have so ceased to be a Member shall be registered pursuant to the Provisions herein-before contained.

Person ceas-
ing to be a
Member to
continue
liable till
Transfer, &c.
registered.

XXII. And be it enacted, That no Action, Suit, or Proceeding, whether Civil or Criminal, commenced either by or against any such Company or Body (whether in the Name of one of the Officers appointed to sue and be sued as aforesaid, or of some Member of such Company or Body, in the Case and in manner aforesaid), shall be abated or prejudiced by the Death or by any Act of such Officer or Person, or by the Resignation or Removal of such Officer, either before

Proceedings
commenced
in the Name
of Officer not
to be abated
by his Death,
&c. or by
Change of
Members of
Company.

before or after the Commencement of such Action, Suit, or Proceeding, or by any Change in the Members of such Company or Body by the Transfer of Shares or otherwise, but that the same shall be continued in the Name of such Officer or Member (as the Case may be) notwithstanding such Death or Act, or such Resignation, or Removal, and notwithstanding such Change in the Members of such Company or Body.

Evidence of
Officer or of
Member of
Company
admissible.

XXIII. And be it enacted, That in all such Actions, Suits, and other Proceedings, whether Civil or Criminal, the Evidence of any such Officer, as aforesaid, or of any Member of such Company or Body, shall be admissible in the like Manner, as if such Officer or Member were not an Officer or Member of such Company or Body.

Effect of
Judgments
against Com-
pany.

XXIV. And be it enacted, That all Judgments, Decrees, Interlocutors, and Orders obtained in any such Actions, Suits, or other Proceedings as aforesaid against such Officer or Member in manner aforesaid, whether such Member or Officer respectively be Party to such Actions, Suits, or Proceedings, as Plaintiff, Pursuer, Petitioner, or Defendant or Defender, shall have the same Effect against the Property and Effects of such Company or Body, and also (to the Extent herein-after mentioned) against the Persons, Property, and Effects of the individual existing or former Members thereof respectively, as if such Judgments, Decrees, Interlocutors, or Orders had been obtained against such Company or Body in Suits or Proceedings to which all the Persons liable as existing or former Members of such Company, or Body had been Parties, and that Execution or Diligence, or Executions or Diligences, shall be issued thereon accordingly: Provided nevertheless, that where the Extent *per* Share of the Liability of the individual Members shall have been limited by any Letters Patent as aforesaid, no such Execution or Diligence shall be issued against any such individual existing and former Member of such Company or Body as aforesaid for a greater Sum than the Residue, if any, of the Amount for which, by virtue of such Letters Patent as aforesaid, such individual Member shall be liable in respect of the Share or Shares then or theretofore held by him in the said Company or Body, after deducting therefrom the Amount, if any, which shall appear by such Register as aforesaid to have been advanced and paid in respect of such Shares or any of them by himself or herself, or any previous or subsequent Holder of the same Shares or any of them, or the Representatives of any such Holder, under by virtue of any former Execution or Diligence, and not repaid at the Time of issuing such subsequent Execution or Diligence.

Bankruptcy
of Officer of
Company not
to affect
Company or
Liabilities of
Members.

XXV. And be it enacted, That the Bankruptcy, Insolvency, or stopping Payment of any Officer or Member of such Company or Body in his individual Capacity shall not be construed to be the Bankruptcy, Insolvency, or stopping Payment of such Company or Body; and that the Property and Effects of such Company or Body, and the Persons, Property, and Effects of the individual Members or other individual Members thereof (as the Case may be), shall, notwithstanding such Bankruptcy, Insolvency, or stopping Payment, be
liable

liable to Execution or Diligence in the same Manner as if such Bankruptcy, Insolvency, or stopping Payment had not taken place.

XXVI. And be it enacted, That in all Cases wherein it may be necessary for any Person to serve any Summons, Demand, or Notice, or any Writ or other Proceeding at Law or in Equity, or otherwise, upon the said Company or Body, Service thereof respectively on the Clerk of the said Company or Body, or by leaving the same at the head Office for the Time being of the said Company or Body, or in case such Clerk of the said Office shall not be found or known, then Service thereof on any Agent or Officer employed by the said Company or Body, or by leaving the same at the usual Place of Abode of such Agent or Officer, shall be deemed good and sufficient Service of the same respectively on the said Company or Body.

Service of Notice on the Company.

XXVII. And be it enacted, That in all Cases wherein it may be necessary for the said Company or Body to give any Summons, Demand, or Notice of any Kind whatsoever to any Person or Corporation, under the Provisions or Directions contained in this Act, such Summons, Demand, or Notice may be given in Writing, signed by the Clerk, Attorney, or Solicitor for the Time being of the said Company or Body, without being required to be under the Common Seal of the said Company or Body.

Service of Notice by the Company.

XXVIII. And be it enacted, That in case of the Determination of such Company or Body such Company or Body shall nevertheless be considered as subsisting, and to be in all respects subject to the Provisions of this Act, so long and so far as any Matters relating to such Company or Body shall remain unsettled, to the End and Intent that such Company or Body may do all Things necessary to the winding-up of the Concerns thereof, and that it may be sued and sue under the Provisions of this Act in respect of all Matters relating to such Company or Body.

Determination of Company not to prevent the winding up of their Affairs.

XXIX. And be it also enacted, That it shall be lawful for Her Majesty, Her Heirs and Successors, in any Charter of Incorporation to be hereafter granted, to limit the Duration thereof for any Term or Number of Years, or for any other Period whatsoever; and also in any Charter of Incorporation (whether in Perpetuity or for any Term or Period), either by Reference to this Act or otherwise, to make the Corporation thereby formed, and the Officers and Members thereof, subject to all of the Provisions, Liabilities, and Directions herein-before authorized to be imposed on or required from any unincorporated Company or Body, or its Officers or Members, and also to confer on such Corporation or its Members and Officers all the Powers or Privileges herein-before authorized to be conferred on any unincorporated Company or Body, or its Officers or Members; and all the Powers, Provisions, Clauses, Matters, and Things herein-before contained in reference to unincorporated Companies or Bodies shall accordingly in such Case, and so far as the same may be applicable, be considered to belong and apply to such Corporation.

Duration of Charters of Incorporation may be limited.

Limitations
as to Exemp-
tions to be
granted to
Companies
by Letters
Patent.

XXX. Provided always, and be it enacted, That nothing in this Act contained shall authorize or be construed to authorize Her Majesty, Her Heirs and Successors, by any such Letters Patent, to exempt any Company or Body of Persons associated as aforesaid from the Necessity of entering into a Deed of Partnership, from making the Return of the Patent to the Enrolment Office of the Court of Chancery, from the Necessity of carrying into execution the Provisions of this Act in respect to Change of Name or Style of the Company or Body associated, in respect to the Cessation, or to the Addition or to the Change of Name of any of the Individuals of the Company, or to the Transfer of Shares and to the Notices to be given thereof, or to the Payment of any Sum by any Shareholder on account of any Preferment against such Company or Body, or to the Returns to be made to the Enrolment Office of such Payment, or of the Repayment thereof, or from making a Return to the said Office of the Name of the Officer appointed by said Company to sue and be sued on its Behalf, in case of the Death, Resignation, or Removal of the one registered, or to exempt any Company or Body so associated from the Provisions of this Act in relation to the Period at which its several Members shall become entitled or shall cease to share in the Profits thereof, the whole as required by the Provisions of this Act.

Act not
to affect
existing
Privileges.

XXXI. Provided always, and be it enacted, That nothing in this Act contained shall authorize or be construed to authorize the Grant to any Company or Body of Persons of any Privilege in derogation of any exclusive Privileges now enjoyed by any Company or Corporation under any Act or Acts of Parliament.

Notice of
Application
for Letters
Patent to be
inserted in
the London
Gazette, &c.

XXXII. And be it enacted, That whenever an Application shall be made to Her Majesty to grant Letters Patent or a Charter of Incorporation to any Company or Body of Persons associated together for any Purpose of Trade, and such Application shall have been referred by Her Majesty to the Committee of Privy Council for Trade and Plantations, then, before any Report shall be made to Her Majesty, and before any such Letters Patent or Charter shall be granted, Notice of such Application shall be inserted by the Parties applying Three several Times in the *London Gazette* and in One or more of the Newspapers circulating within the County in which it is proposed that the principal Place of Business of such Company shall be established, at Intervals of not less than One Week.

SCHEDULES to which this Act refers.

SCHEDULE (A.)

RETURN made pursuant to Statute Vict.

Date of Letters Patent.	Name of Company or Body.	Business or Purpose.	Place, [or principal Place, if more than One,] of Business.	Total Number of Shares.	Liability in respect of each Share.

[Names and Places of Abode of all the Members, and the distinctive Numbers of the Shares which each of them holds.]

[Names and Descriptions of the Officers appointed to sue and be sued on behalf of the Company or Body.]

I (one of the above-named Officers) do solemnly and sincerely declare, That the above is a true Return; and I make this solemn Declaration conscientiously believing the same to be true, and by virtue of the Provisions of an Act made and passed in the Fifth Year of the Reign of His late Majesty, intituled "An Act," &c.

Dated this Day of 18 .

[Declared, &c.]

[Signature.]

SCHEDULE (B.)

RETURN made pursuant to Statute Vict. . .

CHANGE OF PLACE OF BUSINESS.

Name of Company or Body.	Business or Purpose.	Former Place [or principal Place, if more than One,] of Business.	Present Place [or principal Place] of Business.

I [&c. as before.]

[Date.]

[Declared, &c.]

[Signature.]

1° VICTORIÆ, Cap. 73.

SCHEDULE (C.)

RETURN made pursuant to Statute Vict.

CHANGE OF MEMBERS.

Name of Company or Body.	Business or Purpose.	Place [or principal Place, if more than One,] of Business.

[Names and Places of Abode of all Persons having ceased to be Members (except by Transfer of Shares) since the last Return. Dated the Day of .]

[Names and Places of Abode of all Persons who have become Members (except by Transfer of Shares) since the last Return. Dated the Day of .]

[Former Names and Places of Abode of Persons whose Names have been changed.]

[Present Names and Places of Abode of Persons whose Names have been changed.]

I [&c. as before.]

[Date.]

[Declared, &c.]

[Signature.]

SCHEDULE (D.)

RETURN made pursuant to Statute Vict.

TRANSFER OF SHARES.

Name of Company or Body.	Business or Purpose.	Place [or principal Place, if more than One,] of Business.

Name and Place of Abode of Person by whom Transfer is made.	Name and Place of Abode of Person to whom Transfer is made.	The distinctive Numbers of the Shares transferred.	Date of Transfer.

I [&c. as before.]

[Date.]

[Declared, &c.]

[Signature.]

SCHEDULE (E).

RETURN made pursuant to Statute Vict.

PAYMENT BY INDIVIDUAL MEMBER.

Name of Company or Body.	Business or Purpose.	Place [or principal Place, if more than One,] of Business.	
Name and Place of Abode of individual Member.	Distinctive Numbers of the Shares in respect of which Payment is made.	Sum paid in respect of each Share.	Total Amount paid under Exemptions or Diligence.

I [*&c. as before.*][*Date.*]

[Declared, &c.]

[*Signature.*]

SCHEDULE (F.)

RETURN made pursuant to Statute Vict.

PAYMENT TO INDIVIDUAL MEMBERS.

Name of Company or Body.	Business or Purpose.	Place [or principal Place, if more than One,] of Business.	
Name and Place of Abode of individual Member.	Distinctive Numbers of the Shares in respect of which Repayment is made.	Sum repaid in respect of each Share.	Total Amount repaid to individual Member.

I [*&c. as before.*][*Date.*]

[Declared, &c.]

[*Signature.*]

1° VICTORIÆ, Cap. 73.

• SCHEDULE (G.)

RETURN made pursuant to Statute Vict.

CHANGE OF OFFICER.

Name of Company or Body.	Business or Purpose.	Place [or principal Place, if more than One,] of Business.

[Name and Description of the Person who has ceased to be an Officer to sue and be sued on behalf of the Company or Body since the last Return. Dated .]

[Name and Description of the Officer appointed to sue and be sued on behalf of the Company or Body since the last Return. Dated .]

I [&c. as before.]

[Date.]

[Declared, &c.]

[Signature.]

SCHEDULE (H.)

RETURN made pursuant to Statute Vict.

CORRECTED RETURN.

[Copy of former incorrect Return.] •

(Copy.) :

Amended Return with correct Names and Descriptions [in such of the preceding Forms as are applicable to the Case under the Provisions of the foregoing Act.]

I [&c. as before.]

[Date.]

[Declared, &c.]

[Signature.]

LONDON: Printed by GEORGE EYRE and ANDREW SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1837.



• ANNO PRIMO

VICTORIÆ REGINÆ.

C A P. LXXIV.

An Act to restrain the Alienation of Corporate
Property in certain Towns in *Ireland*.

[17th July 1837.]

WHEREAS an Act was passed in the last Session of Parliament, intituled *An Act to restrain the Alienation of Corporate Property in certain Towns in Ireland*, whereby temporary Provision was made to the end that the Estates and Effects of the Bodies Corporate constituted in sundry Towns in *Ireland* might be preserved and maintained for the Use and Benefit of the Inhabitants of the said Towns, and upon and for the several Trusts and Purposes to which the same ought to be applied: And whereas it is fitting that further Provision be made to the like end: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That no Conveyance, Alienation, Settlement, Charge, or Incumbrance whatsoever of, out of, or upon any Lands, Tenements, or Hereditaments to which any Body Corporate or late or reputed Body Corporate named in the Schedule to the said recited Act annexed, or any One or more of the Members of any of the said Bodies Corporate in his or their Corporate Capacity, or any Person or Persons in Trust for them or any of them, now have or may hereafter acquire, or on or before the Sixteenth Day of *February* in the Year One thousand eight hundred and thirty-six had or have since then acquired, any Right or Title, unless in pursuance of some

6 & 7 W. 4.
c. 100.

Restraining
the Convey-
ance of Cor-
porate Pro-
perty until
the 1st Sept.
1838, unless
bonâ fide
agreed upon
previous to
the 16th Feb.
1836.

Covenant

Proviso.

Covenant or Contract or Agreement *bonâ fide* made or entered into on or before the said Sixteenth Day of *February* by or on behalf of such Body Corporate, or of some Resolution duly entered in the Corporate Books of such Body Corporate on or before the said Sixteenth Day of *February*, shall (except as herein-after provided) be made or executed by or on behalf of such Body Corporate before the First Day of *September* in the Year One thousand eight hundred and thirty-eight; and that no Contract, Covenant, or Agreement to convey or to charge such Lands, Tenements, or Hereditaments, entered into after the passing of this Act, and before the said First Day of *September*, shall, except as herein-after provided, be valid; and no Assignment, Grant, or Disposition of, or Covenant or Agreement to affect, any Personal Estate or Estates of any such Body Corporate, which may be hereafter made before the said First Day of *September*, shall, except as herein-after provided, be valid and effectual: Provided always, that nothing herein contained shall extend to such Dispositions as may be made before the said First Day of *September* of any Part of the Real or Personal Estate of any such Body Corporate, for paying any just and lawful Debt contracted by them before the said Sixteenth Day of *February* One thousand eight hundred and thirty-six, or for paying any Debt which any such Body Corporate shall have been or may be directed to pay by any Order, Judgment, or Decree of any Court of Law or Equity, or for defraying the legal Salaries of necessary Officers, and other legal and necessary Disbursements of such Body Corporate.

Persons
appointed to
Offices of
Profit since
16th Feb. 1836
not entitled
to Compensation
on
Removal by
Parliament.

II. And be it enacted, That no Person who shall have been appointed to any Office or Place of Profit in or by any of the said Bodies Corporate since the said Sixteenth Day of *February* in the Year One thousand eight hundred and thirty-six shall be entitled, by reason of such Appointment, to have any Compensation for the Loss of such Office or Place of Profit, or of the Fees and Emoluments thereof, in case Provision shall be hereafter made by Parliament for removing him or authorizing his Removal from such Office or Place of Profit, or for amending or abolishing the same.

LONDON: Printed by GEORGE EYRE and ANDREW SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1837.



ANNO PRIMO

VICTORIÆ REGINÆ.

C A P. LXXV.

An Act to prolong for Ten Years Her Majesty's
Commission for building new Churches.

[17th July 1837.]

WHEREAS an Act was passed in the Fifty-eighth Year of the
Reign of His Majesty King *George* the Third, intituled *An Act for building and promoting the building of additional Churches in populous Parishes*, whereby it was enacted, that it should be
lawful for His Majesty, by Letters Patent, to appoint such Persons as
His Majesty should deem fit to be His Commissioners for carrying into
execution the Purposes of the said Act, and that the said Commis-
sion should continue in force for the Term of Ten Years from the
Date thereof, unless His Majesty should think fit sooner to alter or
revoke the same. And whereas another Act was passed in the Fifty-
ninth Year of the Reign of His Majesty King *George* the Third,
for the Purpose of amending and rendering more effectual the said
Act: And whereas another Act was passed in the Third Year of the
Reign of His Majesty King *George* the Fourth, for the Purpose of
amending and rendering more effectual the said Two Acts so passed
as aforesaid: And whereas another Act was passed in the Fifth Year
of the Reign of His Majesty King *George* the Fourth, for amending
and rendering more effectual the said Three Acts so passed as aforesaid:
And whereas another Act was passed in the Eighth Year of the Reign
of His Majesty King *George* the Fourth, intituled *An Act to amend the Acts for building and promoting the building of additional Churches*

58 G. 3. c. 45.

59 G. 3.

c. 134.

3 G. 4. c. 72.

5 G. 4. c. 103.

7 & 8 G. 4.

c. 72.

in populous Parishes, whereby it was enacted, that the Persons then or thereafter to be appointed to be His Majesty's Commissioners for building new Churches, and for the carrying into effect the aforesaid Acts and the Act now in recital, should continue to be such Commissioners, and that the said Commission should continue in force for the Term of Ten Years from the Twentieth Day of *July* One thousand eight hundred and twenty-eight, instead of the said Term of Ten Years so fixed as aforesaid, unless His Majesty, His Heirs or Successors, should think fit sooner to revoke the said Commission: And whereas another Act was passed in the Second Year of the Reign of His late Majesty King *William* the Fourth, to amend and render more effectual the last-recited Act: And whereas another Act was passed in the Third Year of the Reign of His late Majesty, to render more effectual the aforesaid Act passed in the Fifty-ninth Year of the Reign of His Majesty King *George* the Third: And whereas the Commissioners appointed for the Purpose of carrying into effect the aforesaid Acts have proceeded in the Execution of the Powers so vested in them: And whereas it is expedient that the Commission granted by His Majesty King *George* the Fourth in pursuance of the said Acts, and which by the aforesaid Act passed in the Eighth Year of the Reign of His Majesty King *George* the Fourth is limited to the Term of Ten Years from the Twentieth Day of *July* One thousand eight hundred and twenty-eight, should continue in force for a further Time: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Persons now appointed to be His Majesty's Commissioners for building new Churches, or hereafter to be appointed to be Her Majesty's Commissioners for building new Churches, and for the carrying into effect the aforesaid Acts and this Act, shall continue to be such Commissioners.

1 & 2 W. 4.
c. 38.
2 & 3 W. 4.
c. 61.

Com-
mis-
sioners to
continue ;

and to be
styled Her
Majesty's
Com-
mis-
sioners, &c.
Term of
Commission
further
continued.

II. And be it enacted, That from and after the passing of this Act the Name and Style of the said Commissioners shall be Her Majesty's Commissioners for building new Churches, in lieu of the Name and Style of His Majesty's Commissioners for building new Churches; and the said Commission shall continue in force for the Term of Ten Years from the Twentieth Day of *July* One thousand eight hundred and thirty-eight, and thence unto the End of the next Session of Parliament, instead of the Term of Ten Years last fixed as aforesaid, unless Her Majesty shall think fit sooner to revoke the said Commission.



ANNO PRIMO

VICTORIÆ REGINÆ.

C A P. LXXVI.

An Act to impose Rates of Packet Postage on
East India Letters, and to amend certain Acts
relating to the Post Office. [17th July 1837.]

WHEREAS it is expedient to extend the Power vested
in Her Majesty's Postmaster General of reducing certain
Rates of Postage by an Act passed in the present Session
of Parliament: Be it therefore enacted by the Queen's most Ex-
cellent Majesty, by and with the Advice and Consent of the Lords
Spiritual and Temporal, and Commons, in this present Parliament
assembled, and by the Authority of the same, That the Postmaster
General may at any Time, with the Consent of the Lords of the
Treasury, reduce all or any of the Rates of Postage on Colonial
and Inland Letters and any other *British* Postage to such Extent
as the Lords of the Treasury shall from Time to Time direct.

Power to
reduce
Postage on
Colonial and
Inland Let-
ters.

II. And whereas Arrangements may be made between Her
Majesty's Postmaster General and the *East India* Company for
establishing a Post Communication by Packet Boats between *Suez*
or *Bassora* or some other convenient Port of the *Red Sea* or the
Persian Gulf and the *East Indies*; be it therefore enacted, That
from and after such Communication shall have been established
there shall be charged and paid for Letters transmitted by such
Packet Boats between any such Port and any Port in the *East*
Indies (Letters transmitted by Her Majesty's *Mediterranean* Packet
Boats to or from the United Kingdom only excepted) the following

East India
Packet
Postage.

Rates of Postage; (that is to say,) for every Single Letter, One Shilling; for every Double Letter, Two Shillings; for every Treble Letter, Three Shillings; and for every Letter of One Ounce Weight, whether it be Single or Double or a Treble Letter, Four Shillings, and for every Quarter of an Ounce beyond that Weight the additional Postage of a Single Letter; which Rates the Postmaster General may, with the Consent of the Lords of the Treasury, require to be paid on the Letters being tendered or delivered in order to be forwarded between any such Ports.

Deficiency of
Superannua-
tion Fund
to be paid
out of the
Post Office
Revenue.

• III. And whereas a Fund was some Years since established for the Superannuation of old and infirm Letter Carriers, to be supported by Contributions from Letter Carriers in proportion to the Income or Value of their respective Walks or Districts according to a certain Scale and Regulation made and approved by the then Postmaster General: And whereas by reason of the increased Accommodations afforded to the Public at various Times since the Establishment of the said Fund the Income and Value of such Walks or Districts, and the Emoluments of the Letter Carriers in respect of the same, have been considerably reduced, insomuch that the Contributions to the said Fund are inadequate to support the same and to pay the Superannuation Allowances now chargeable thereon: And whereas it is just and expedient that the Commissioners of Her Majesty's Treasury should be empowered to direct any Deficiency in the said Fund to be paid out of the Public Revenue; be it therefore enacted, That it shall be lawful for the Lords of the Treasury, in their Discretion, to authorize and empower the Postmaster General from Time to Time to pay out of the Revenue of the Post Office all such Sum and Sums of Money as may be necessary for the Purpose of making good any Deficiency in the said Fund, and of fully paying and satisfying the several Superannuation Allowances heretofore granted and made payable out of the same, and now charged and chargeable thereupon, until such Time as the Objects and Purposes for which the said Fund was established shall have been fully accomplished.

Commence-
ment of Act.

IV. And be it enacted, That this Act shall come into operation on the Second Day of *August* One thousand eight hundred and thirty-seven.

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Printers to the Queen's most Excellent Majesty. 1837.



ANNO PRIMO

VICTORIÆ RÊGINÆ.

C A P. LXXVII.

An Act to assimilate the Practice of the Central Criminal Court to other Courts of Criminal Judicature within the Kingdom of *England* and *Wales* with respect to Offenders liable to the Punishment of Death. [17th July 1837.]

WHEREAS it is expedient to assimilate the Practice of the Central Criminal Court to other Courts of Criminal Judicature within the Kingdom of *England* and *Wales* with respect to Offenders liable to the Punishment of Death: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act it shall not be necessary that any Report should be made to Her Majesty, Her Heirs and Successors, in the Case of any Prisoner convicted before the said Central Criminal Court, and now under Sentence of Death, or who may be hereafter convicted before such Court and sentenced to the like Punishment, previously to such Sentence being carried into execution; any Law, Usage, or Custom to the contrary notwithstanding.

No Report to be made to Her Majesty of the Case of any Capital Convict at the Central Criminal Court.

II. And be it enacted, with respect to Offenders now under Sentence of Death, That in case any Judge, being a Judge of one of the Superior Courts of *Westminster Hall*, before whom any such Offender already under Sentence

The Judge before whom any Offender already under Sentence

of Death has been tried, may direct Execution to be done on such Offender.

Offender has been tried shall be of opinion that under the Circumstances of such Offender's Case the Sentence of the Law ought to be carried into effect, it shall be lawful for such Judge and he is hereby required, as soon after the passing of this Act as conveniently may be, to order and direct Execution to be done on such Offender at such Time and Place as he shall think fit (the Time so to be appointed not being less than Seven Days nor more than Twenty-one Days from the making of such Order); and thereupon the Sheriff, or other proper Officer in whose Custody any such Offender shall be, shall carry such Sentence into effect at such Time and Place as may be specified in such Order.

The Court may abstain from pronouncing Judgment on Persons convicted of Crimes liable to the Punishment of Death, and order the same to be entered of Record.

III. And be it enacted, That whenever any Offender shall hereafter be convicted before the said Court of any Crime for which such Offender shall be liable to the Punishment of Death, and the Court shall be of opinion that under the particular Circumstances of the Case such Offender is a fit and proper Subject to be recommended for the Royal Mercy, it shall and may be lawful for such Court, if it shall think fit so to do, to direct the proper Officer then being present in Court to require and ask (whereupon such Officer shall require and ask) if such Offender hath or knoweth any thing to say why Judgment of Death should not be recorded against such Offender; and in case such Offender shall not allege any Matter or Thing sufficient in Law to arrest or bar such Judgment, the Court shall and may and is hereby authorized to abstain from pronouncing Judgment of Death upon such Offender, and instead of pronouncing such Judgment to order the same to be entered of Record, and thereupon such proper Officer as aforesaid shall and may and is hereby authorized to enter Judgment of Death on Record against such Offender in the usual and accustomed Form, and in such and the same Manner as is now used, and as if Judgment of Death had actually been pronounced in open Court against such Offender by the Court.

Such Record to have same Effect as if pronounced.

IV. And be it enacted, That a Record of every such Judgment so entered as aforesaid shall have the like Effect to all Intents and Purposes and be followed by all the same Consequences as if such Judgment had actually been pronounced in open Court.

Court to direct Execution to be done on certain Offenders.

V. And be it enacted, That whenever any Offender shall hereafter be convicted before the said Court of any Offence for which such Offender shall be liable to and shall receive Sentence of Death, and the said Court shall be of opinion that under the Circumstances of the Case the Judgment of the Law ought to be carried into effect, it shall be lawful for the said Court and such Court is hereby required to order and direct Execution to be done on such Offender in the same Manner as any Court of Assize is empowered to order and direct Execution by the Law as it stood before the passing of this Act.

Not to affect the Royal Prerogative.

VI. Provided always, and be it enacted, That nothing in this Act contained shall affect Her Majesty's Royal Prerogative of Mercy.

VII. Pro-

VII. Provided always, and be it enacted, That nothing in this Act contained shall extend or be construed to extend to prejudice or affect the Rights, Interests, Privileges, Franchises, or Authority of the Lord Mayor, Aldermen, and Recorder of the City of *London*, or their Successors, or to prohibit, defeat, alter, or diminish any Power, Authority, or Jurisdiction which at the Time of making this Act the said Lord Mayor, Aldermen, and Recorder for the Time being of the said City did or might lawfully use or exercise, except so far as is otherwise by this Act expressly provided. Saving the Rights of the City of London.

VIII. And be it enacted, That this Act may be amended or altered by any Act to be passed in this present Session of Parliament. Act may be altered.

IX. And be it enacted, That this Act shall be deemed to be a Public Act, and shall be judicially taken notice of as such by all Judges, Justices, and others. Public Act.

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Printers to the Queen's Most Excellent Majesty. 1837.



ANNO PRIMO

VICTORIÆ REGINÆ.

C A P. LXXVIII.

An Act to amend an Act for the Regulation of
Municipal Corporations in *England* and *Wales*.

[17th July 1837.]

WHEREAS an Act was passed in the Fifth and Sixth Years of the Reign of His present Majesty, intituled *An Act to provide for the Regulation of Municipal Corporations in England and Wales*, providing among other things for the Election of certain Officers in manner and form therein declared, but such Elections have not in all Cases been duly made according to the Provisions of the said Act: And whereas Doubts are entertained by and before whom the Meetings for such Elections can now be convened and holden for the Purpose of supplying such Deficiencies: And whereas the Elections of Corporate Officers and others are liable to be questioned by reason of any Defect that may be in the Title of the presiding Officer before whom the Election may have been had, notwithstanding that the Election may have been otherwise good in all respects: For Remedy thereof be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That no Election of any Person into any Corporate Office which shall take place after the passing of this Act shall be liable to be questioned by reason of any Defect in the Title or Want of Title of the Person before whom such Election may have been had, provided that the Person before whom such

Election not
to be ques-
tioned for
Title of pre-
siding Of-
ficers;

such Election shall be had shall be then in the actual Possession of or acting in the Office giving the Right to preside at such Election; and, subject and without Prejudice to the Provisions for discontinuing Proceedings herein-after contained, all Elections into any Corporate Office since the Twenty-fifth Day of *December* in the Year One thousand eight hundred and thirty-five, in any Borough named in either of the Schedules (A.) and (B.) annexed to the said Act for regulating Corporations, and all Acts duly done in right of their Office since the said Twenty-fifth Day of *December* by the Persons chosen at any such Election, and all Acts duly done by any Person with reference to any such Election, shall be good to all Intents and Purposes, notwithstanding any Defect in the Title or Want of Title in the Person so presiding arising from the Provisions of the said Act or of any former Charter or any local Custom not having been duly complied with, and notwithstanding that there may not have been at the Time of the passing of the said Act any such Body Corporate as is named in the Schedule (A.) or (B.) of the said Act in conjunction with the Name of the Borough in which such Election may have been had, or any such Officer as is charged by the said Act with the Execution of such Duties; provided that the Person or Persons before whom or by whose Authority any such Election may have been had, or by whom any Summons shall have been issued, or List made out or received, or other Act done for holding or with reference to any such Election, shall have *bonâ fide* taken upon himself the Duties of the Office giving Right to preside at such Election, or issue such Summons, or make out or receive such List, or do such Act as aforesaid: Provided nevertheless, that nothing herein-before contained shall prevent any such Election or Act done by any Person from being questioned and set aside by reason of any Fraud or any Irregularity or Defect other than is herein-before specified: Provided also, that nothing in this Act contained shall extend to invalidate any Payment *bonâ fide* made, or to invalidate or render valid any Notice to quit given before the passing of this Act, or render liable to any Penalty or Punishment any Person who would not have been liable to such Penalty or Punishment in case this Act had not been made.

provided that the Person shall have taken upon himself the Office.

Proviso.

Proviso.

All Elections duly made since 25th December good, though the whole Number of Aldermen not elected.

Nothing herein to affect any Person in Actions to try the Right to Office of Profit.

II. And be it enacted, That all Elections duly made or other Acts duly done since the said Twenty-fifth Day of *December* at any Meeting of the Council or Councillors of any Borough named in either of the Schedules of the said Act by a Majority of the Members of the Council or Councillors present at such Meeting, the whole Number present not being less than One Third Part of the Number of the whole Council, shall be good notwithstanding that the whole or due Number of Aldermen may not have been then elected: Provided always, that nothing in this Act contained shall extend to affect the Right of any Person to prove the Validity or Invalidity of any Election or Act had or done before the passing of this Act, and hereby made good or valid, in any Action already brought or hereafter to be brought to try the Right to any Office of Profit, or to recover the Profits or Receipts thereof; and every such Action in which it may be material to either Party to prove the Validity or Invalidity of any such Election or Act shall be tried and decided

to all Intents and Purposes as if this Act had not passed ; provided, that such Action shall be brought within Twelve Calendar Months after the passing of this Act.

III. And be it enacted, That all Elections had before the passing of this Act, or to be had under this Act, in any Borough named in either of the said Schedules, at any Time before the Election of Assessors for such Borough, shall be as good as if had before the Mayor and Assessors jointly.

Elections before the Election of Assessors to be valid.

IV. And whereas by the said Act it is provided, that in every Case in which there shall be a Division into Wards of any Borough the Assessors who shall hold the Court for revising the Burgess Lists with the Mayor shall be the Assessors of the Mayor's Ward ; and it may be, in case the Mayor be chosen from among the Aldermen, that there is no Mayor's Ward in such Borough ; be it enacted, That so much of the said Act as provides that the Assessors who shall hold the Court for revising the Burgess Lists with the Mayor shall be the Assessors of the Mayor's Ward is hereby repealed ; and in every Borough divided into Wards Two Assessors shall be chosen on the Twenty-first Day after the passing of this Act, and in every subsequent Year on the First Day of *March*, or on the following Day if that Day be on a *Sunday*, to hold the Court for revising the Burgess Lists with the Mayor, in like Manner as is provided in the said Act concerning the Election of Two Auditors of such Borough ; and no Burgess List which shall have been revised before the passing of this Act by the Mayor alone, or by the Mayor assisted by any other Person or Persons, shall be taken to have been ill revised by reason of the Mayor not having been assisted by the Assessors of the Mayor's Ward, but every such revised List, if otherwise revised according to the Provisions of the said Act, shall be good, and the fair and true Copy thereof, made according to the Provisions of the said Act, shall be the Burgess Roll for the present Year in that Borough.

5 & 6 W. 4. c. 76. s. 43. in part repealed.

Two Revising Assessors to be chosen in like Manner as the Auditors are.

V. And be it enacted, That after the passing of this Act no Burgess Roll shall be liable to be questioned by reason of any Defect of Title or Want of Title of the Mayor or Assessors by whom the same shall have been revised, or any or either of them, provided that he or they shall have been in the actual Possession and Exercise of the Office of Mayor or Assessor, as the Case may be.

Burgess Roll not to be questioned for the Title of the Mayor or Assessors.

VI. And be it enacted, That in every Borough in which by reason of any Neglect or Informality a new Burgess Roll of the said Borough shall not have been duly made in any Year within the Time directed by the said Act, the Burgess Roll which was in force before the Time appointed for the Revision shall continue in force until such new Burgess Roll shall have been duly made.

Burgess Roll to be in force until Revision of new Burgess Roll.

VII. And be it enacted, That no Body Corporate named in the Schedules of the said Act for regulating Corporations, in which no new Burgess Roll was made in the Month of *October* last, shall therefore be taken to have been dissolved, but every such Body Corporate shall

Corporations not dissolved by Neglect to make new Burgess Roll.

shall have and continue to have perpetual Succession, and all the Rights, Powers, Privileges, and Liabilities which it would have had if the new Burgess Roll had been duly made; and in any Case in which no Councillors shall have been elected on the First Day of last *November* to supply the Place of those who were then to go out of Office according to the Provisions of the said Act, the Councillors who were to continue in Office shall so continue in like Manner and for the same Time as if such new Election had been duly made.

As to reckon-
ing a former
Person's
Rating and
Occupancy
as Part of a
subsequent
Occupier's.

• VIII. And be it enacted, That in every Case in which, under the Provisions of the said Act for regulating Corporations, any Person shall be entitled to reckon the Rating and Occupancy of any House, Warehouse, Counting-house, or Shop in any Borough by any other Person as Part of his own Rating and Occupancy, it shall not be necessary, in support of the Title of such Person to be enrolled on the Burgess Roll, to prove that he was an Inhabitant Householder within the said Borough, or within Seven Miles of the said Borough, or that he was an Occupant or rated within the same, before the Title to such House or other Property as aforesaid shall have devolved upon him.

Rating in
Name of for-
mer Occupier
sufficient.

IX. And be it further enacted, That the Rating in the Name of the Person previously occupying shall be considered a sufficient Rating of the Person so entitled, until a new Rate shall be made subsequent to such Devolution of Title as aforesaid.

Provision for
certain Cases
in which
there has
been Equality
of Votes.

X. And be it enacted, That in every Borough named in the said Schedules in which or in any Ward or Wards of which it is doubtful who should have gone out of the Council in the Month of *November* last, by reason of the same Number of Votes having been given for Two or more Persons, and by reason of the Council not having determined who should then go out of Office according to the Provisions of the said Act for regulating Corporations, all the Councillors in such Borough or Ward respecting whose Continuance in Office any such Doubt shall arise shall continue in Office for the same Time as if they had been elected on the said First Day of *November* now last past; and the Council shall determine which of them shall go out of Office on the First Day of *November* now next ensuing; and if the Doubt shall extend to those who should have gone out of Office on the First Day of *November* now next ensuing, the Council shall also determine which of them shall go out of Office on the First of *November* in the Year One thousand eight hundred and thirty-eight.

Repeal of
Provision
relating to
Vacancies in
the Council.

Provision in
lieu thereof.

XI. And be it enacted, That so much of the said Act for regulating Corporations as provides that no new Election of Councillors shall be made by reason of any extraordinary Vacancy in the Office of Councillor unless the Number of Councillors remaining after such Vacancy shall not exceed Two Thirds of the whole Number of the Council of the Borough, is hereby repealed; and that every Election of a Councillor to supply any such extraordinary Vacancy, either alone or together with other Councillors, which shall have been had

on

on the First Day of *November* last, shall be valid, although the Number of Councillors did then exceed Two Thirds of the whole Number of the Council, and although such Vacancy may have happened more than Ten Days previously to the said First Day of *November* last, if in other respects such Election shall have been duly had according to the Provisions for the annual Election of Councillors contained in the said Act for regulating Corporations, and the Councillor elected by the smallest Number of Votes at such Election, if elected with other Councillors, shall be the Councillor elected to supply such extraordinary Vacancy as aforesaid; and in every Case in which more than One such extraordinary Vacancy shall be so supplied the Councillor elected by the smallest Number of Votes shall be taken to be elected in the Room of him who would regularly have first gone out of Office, and the Councillor elected by the next smallest Number of Votes shall be taken to be elected in the Room of him who would regularly have next gone out of Office, and so with respect to the other. .

XII. And be it enacted, That in every Borough named in the said Act in which by reason of any Failure in complying with the Directions of the said Act the full Number of Councillors or Ward Assessors hath not been elected according to the true Intent and Meaning of the said Act, the Burgesses of the Borough, or of the several Wards in which the Vacancies may be that ought to be filled up, as the Case may be, shall on the Fourteenth Day after the passing of this Act openly assemble and elect the Councillors and Ward Assessors, to be elected in the Manner directed in the said Act; and the Mayor, or if there shall be no Mayor the Councillor assessed to the Poor to the greatest Amount in respect of any Messuage, Land, Tenement, Tithe, or other Hereditaments of which he is Occupier and also Owner within such Borough, shall preside at such Election in the Case of a Borough not divided into Wards, and in the Case of a Borough divided into Wards the Councillors elected in each Ward shall separately choose the Councillor who shall preside at the Election of Councillors and Ward Assessors in that Ward, or in case a Majority of them in any Ward cannot agree, then the Councillor elected in that Ward who is assessed to the Poor to the greatest Amount in respect of any Messuage, Land, Tenement, Tithe, or other Hereditaments of which he is Occupier and also Owner within the Borough, shall preside at such Election, and shall have in that behalf all the Powers given by the said Act to the Mayor of the Borough in the first Election of Councillors.

XIII. And be it enacted, That the Mayor of every Borough named in the said Act, and in which no Alderman or less than the full Number of Aldermen shall have been elected, or if there shall be no Mayor the Councillor who shall be chosen for that Purpose by the greatest Number of Councillors within the Borough, or in case a Majority of them shall not be able to agree, then the Councillor chosen before the passing of this Act assessed and being Occupier and Owner as aforesaid to the greatest Amount in the whole Borough, shall within Ten Days after the Vacancies (hereinbefore

Vacancies among the Councillors or Ward Assessors, how to be supplied.

Mayor or Councillor to convene a Meeting of the Council to supply Vacancies in the Office of Alderman or Mayor.

before last mentioned) shall have been filled up convene a Meeting of the Council for the Purpose of filling any Vacancies in the Office of Alderman, or of Mayor, or of Mayor and Alderman, as the Case may be; and at every such Meeting such Mayor or Councillor shall preside, and the Council shall proceed to elect the Aldermen then to be elected; and immediately after the Election of Aldermen, if any Aldermen are then to be elected, the Council shall proceed to elect a Mayor, if there shall then be no Mayor; and the Councillor by whom the Meeting was convened shall continue to preside at the Election of Mayor; and in every Case of Vacancy which may be occasioned among the Councillors by reason of any such Election of Aldermen, and which ought to be filled according to the Provisions of the said Act, the Mayor shall convene a Meeting of Burgesses for the Purpose of filling such Vacancy in the Manner provided by the said Act in the Case of extraordinary Vacancies in the Office of Councillors: Provided always, that the President of any such Meeting of the Council holden under the Provisions of this Act for the Election of a Mayor or Alderman in any Borough in which there shall be no Mayor shall have a second or casting Vote in case of an Equality of Votes.

Manner of
electing
Aldermen.

XIV. And be it enacted, That after the passing of this Act the Election of Aldermen by the Council shall be in manner following; that is to say, every Member of the Council entitled to vote in that Election may vote for any Number of Persons, not exceeding the Number of Aldermen then to be chosen, by personally delivering at such Meeting, to the Mayor or Chairman of the Meeting, a voting Paper containing the Christian Name and Surname of the Persons for whom he votes, with their respective Places of Abode and Descriptions, such Paper being previously signed with the Name of the Member of Council voting; and the Mayor or Chairman of the Meeting, as soon as all the voting Papers have been delivered to him, shall openly produce and read the same, and immediately afterwards deliver them to the Town Clerk, to be kept among the Records of the Borough; and in case of Equality of Votes among those entitled to vote the Mayor or Chairman shall have a casting Vote, whether or not he may be entitled to vote in the first instance.

Auditors and
Assessors
disqualified
to be of the
Council.

XV. And whereas by the said Act for regulating Corporations it is provided, that no Burgess shall be eligible to be or be elected an Auditor or Assessor who shall be of the Council; be it also enacted, That no Burgess shall be eligible to be elected a Member of the Council while holding the Office of Assessor or elective Auditor.

In case of
Illness or
Alderman
at Election.

XVI. And be it enacted, That in case of the Illness or Incapacity to act of any Alderman at any Election, the Mayor shall be empowered to appoint another Alderman to act in the Room of such Alderman during such Illness or Incapacity.

Assessor
may appoint
a Deputy.

XVII. And be it enacted, That every Assessor shall be empowered and he is hereby directed as soon as conveniently may be after his Election, and from Time to Time as the Occasion may arise

arise or to him may seem fit, to appoint under his Hand a Deputy to act for him in case of his Illness or Incapacity to act at any Election or any Revision of the Burgess Lists; and every such Appointment shall be signified by him in Writing under his Hand to the Council, and shall be recorded on the Minutes of their Proceedings.

Appointment to be signified to the Council.

XVIII. And be it enacted, That at any Election under the Provisions of the said Act or of this Act it shall be lawful for the presiding Officer to close the Poll at any Time before Four of the Clock, if One Hour shall have elapsed during which no Vote shall have been tendered for any Candidate; provided that no Person or Persons have within the last Hour been prevented from coming to the Poll by any Riot, Violence, or other unlawful Means, of which Notice shall have been given to the Returning Officer.

Poll may be closed if an Hour has elapsed without a Vote being tendered.

XIX. And be it enacted, That every Mayor elected under the Provisions of this Act shall continue in Office until his Successor shall have accepted the Office of Mayor, and shall have made and subscribed the Declaration required in that Behalf; and every Alderman and Councillor elected under the Provisions of this Act shall continue in Office for the same Time as if he had been elected in the Month of *November* last according to the Directions of the said Act for regulating Corporations.

Mayor, Aldermen, and Councillors under this Act to continue as if elected in due Time.

XX. And be it enacted, That every Proceeding commenced before the passing of this Act, and still pending in the Court of King's Bench, against any Person upon any Ground on which it is herein declared that the Validity of the Election into any Corporate Office shall not be questioned, or for the Purpose of bringing into question the Validity of any Election or Act which is herein declared to be good, shall be discontinued immediately upon the passing of this Act, upon Payment of the Costs incurred up to that Time; and the Prosecutor or Relator shall be entitled to receive from the Defendant in every such Proceeding all such Costs, to be taxed as between Attorney and Client, according to the Practice of such Court.

Proceedings on account of Defects cured by this Act to be discontinued.

XXI. And be it further enacted, That no Advantage shall be taken of the Invalidity of any Election which shall be rendered valid by this Act in any Action already brought or which may be hereafter brought by any Corporation, but such Action shall be tried on its Merits, as if no such Objection could be set up against the Plaintiff's Right of proceeding, but the Court in which such Action is or shall be brought, or any Judge of the same Court in Vacation, shall on Application of the Defendant, if the Court or Judge think the Invalidity of any such Election would have been a Defence to such Action, order the Plaintiff in any such Action to pay such Defendant his Costs up to the Time of the Application, and also his Costs of the Application, taxed as between Party and Party.

No Advantage to be taken under this Act in Actions brought by any Corporation.

XXII. And be it further enacted, That from and after the Commencement of this Act any Burgess of any Borough shall be at liberty, at all seasonable Times, to make any Copy of or take any Extract from the Book required by the said Act to be kept for the Purpose of entering the Minutes of Council, and also to make any

Power to take Extracts from Minutes, &c.

Copy

Copy or take any Extract from any Order in Council of such Borough for the Payment of any Money; and it shall also be lawful for any Alderman or Councillor of any Borough, at all seasonable Times, to make any Copy of or take any Extract from the Book required by the said Act to be kept by the Treasurer of such Borough.

Proceedings
of Quo war-
ranto against
Mayor, &c.
to be com-
menced
within Twelve
Months.

XXIII. And be it enacted, That after the passing of this Act every Application to the Court of King's Bench for the Purpose of calling upon any Person to show by what Warrant he claims to exercise the Office of Mayor, Alderman, Councillor, or Burgess in any Borough, shall be made before the End of Twelve Calendar Months after the Election, or the Time when the Person against whom such Application shall be directed shall have become disqualified, and not at any subsequent Time.

Applications
may be made
to Court of
King's Bench
for a Man-
damus to put
a Burgess on
the Roll.

XXIV. And be it enacted, That it shall be lawful for any Person whose Claim shall have been rejected or Name expunged at the Revision of the Burgess Roll of any of the said Boroughs to apply, before the End of the Term then next following, to the Court of King's Bench for a Mandamus to the Mayor for the Time being of that Borough to insert his Name upon the Burgess Roll, and thereupon for the Court to inquire into the Title of the Applicant to be so enrolled; and if the Court shall award such Mandamus, the Mayor shall be bound to insert the Name upon the Burgess Roll, and shall add thereunto the Words "By Order of the Court of King's Bench," and shall subscribe his Name to such Words; and thereupon the Person whose Name shall be so added to the Burgess Roll shall be deemed a Burgess, and entitled to vote and act as a Burgess in all respects as if his Name had been put upon the Burgess Roll by the Mayor and Assessors; and upon every such Application the Court shall have Power to make such Order with respect to the Costs as to the Court shall seem fit.

In case Elec-
tions are not
made within
the Time
appointed by
5 & 6 W.4.
c. 76. and
this Act, the
Corporations
may proceed
to such Elec-
tions on the
following
Day.

XXV. And be it enacted, That after the passing of this Act, in case no Election shall be made of any Mayor, or any of the Aldermen, Councillors, or other Corporate Officers, in any Borough named in the said Schedules, upon the Day or within the Time appointed by the said Act for regulating Corporations or by this Act for any such Election, or such Election being made shall afterwards become void, whether such Omission or Avoidance shall happen through the Default of the Officer or Officers who ought to preside at such Election, or by any Accident or other Means whatsoever, the Corporation shall not thereby be deemed or taken to be dissolved or disabled from electing such Mayor, Alderman, or Councillor, or other Corporate Officer, for the future, but in any Case where no such Election shall be made as aforesaid the Election for any such Mayor, Alderman, Councillor, or other Corporate Officer may be had, held, and proceeded with upon the Day next after the Day on which such Election ought to have been made, unless such Day shall happen to be on a *Sunday*, and then upon the *Monday* following, and every Act necessary to be done in order to and for the completing such Election shall and may be then done, and the same shall be as effectual and valid for all Purposes as if the Election had been made on the proper Day appointed for that Purpose.

XXVI. And

XXVI. And be it enacted, That after the passing of this Act all the Powers, Authorities, and Jurisdictions by an Act of the Eleventh Year of the Reign of His late Majesty King George the First, intituled *An Act for preventing the Inconveniencies arising from Want of Elections of Mayors or other Chief Magistrates of Boroughs or Corporations being made upon the Days appointed by Charter or Usage for that Purpose, and directing in what Manner such Elections should be afterwards made*, given to His Majesty's Court of King's Bench in Cases where no Election shall be made of the Mayor, Bailiff or Bailiffs, or other Chief Officer or Officers of Cities, Boroughs, or Towns Corporate, upon the Day or within the Time appointed by Charter or Usage for that Purpose, and that no Election is made pursuant to the Directions in that Act prescribed, or such Election being made shall afterwards become void as in that Act mentioned, shall and the same are hereby extended to all Cases in which no Election shall be made of any Mayor, Alderman, Councillor, or other Corporate Officer, or other Person, to any Corporate Office, on the Day or within the Time appointed for any such Election under the Provisions of the said Act of the Fifth and Sixth Years of the Reign of His present Majesty for regulating Corporations, or of this Act; and the said Court of King's Bench is hereby empowered in all such Cases to award a Mandamus, and to cause such Proceedings to be had thereupon, and to make such Orders, and to do all other Acts, Matters, and Things in respect thereof, as fully and effectually as the said Court is now by Law authorized in any other Cases of Mandamus for the Election of any Officers of Corporations; and the Election to be held under such Mandamus shall be held and the Proceedings thereon conducted within the Borough in the same Manner and under the like Regulations and Provisions as are in the said Act of His Majesty King George the First enacted and provided.

Powers given to Court of King's Bench under 1st G. 1. c. 4. extended to Elections under 5 & 6 W. 4. c. 76. and this Act.

XXVII. And be it declared and enacted, That every Person who at the Time of the passing of the said Act for regulating Corporations was entitled to be admitted to the Freedom of any Borough named in the Schedules to the last-recited Act shall be entitled to be admitted thereunto in like Manner, and subject to the same Conditions, Restrictions, and Limitations, in all respects, as any Person who shall have acquired his Title to such Freedom after the passing of the last-recited Act.

Freemen may be admitted who were entitled before the passing of 5 & 6 W. 4. c. 76.

XXVIII. And whereas by an Act passed in the last Session of Parliament, intituled *An Act for the better Administration of the Borough Fund in certain Boroughs*, it is enacted, that it shall be lawful for the Council of any Borough named in the Schedules (A.) and (B.) annexed to the first herein-before mentioned Act, to execute from Time to Time any Deed or Obligation in the Name of the Body Corporate whose Council they are for securing Repayment and Satisfaction of any Debt or Obligation contracted by or on behalf of the said Body Corporate before the passing of the said Act for regulating Corporations; be it enacted, That any Money borrowed by any such Council for the Purpose of being applied and which shall be actually applied in or towards Satisfaction and Discharge of any such pre-existing

Money borrowed to discharge any pre-existing Debt to be deemed a Debt contracted before the passing of 6 & 7 W. 4. c. 104.

Debt or Obligation shall be deemed and taken to be, within the true Intent and Meaning of the said Act of the last Session of Parliament, a Debt contracted by or on behalf of such Body Corporate before the passing of the said Act for regulating Corporations.

Overseers may levy Borough Rates on Parts exclusively of any Parish within the Limits of the Borough. . XXIX. And whereas the Limits of Boroughs in some Cases extend over Parts of Parishes, Townships, and Places, parochial or otherwise, leaving the Remainder of such Parishes, Townships, and Places without the Limits of such Boroughs; and Doubts have arisen whether the said Act contains Provisions under which the Share which ought to be paid by the Parts included within the Limits of any Borough of any Borough Rate to be levied in pursuance of the same Act can be assessed and levied upon such Parts exclusively of the Remainder not within the Limits of the Borough; now be it enacted, That the Overseer or Overseers of the Poor within any Parish, Township, or Place whereof Part lies within the Limits of a Borough as aforesaid, or any Person or Persons who, in pursuance of the Powers contained by reference in the said Act, shall be appointed to act as Overseer or Overseers, shall and may and is and are hereby empowered to levy and raise, in manner directed by the said Act, upon such Part exclusively of any Parish, Township, or Place as is situate within the Limits of such Borough, such Sum or Sums of Money as shall be required to pay every Borough Rate (including Rates already paid by such Overseer or Overseers or other Person or Persons) assessed and to be hereafter assessed under the Authority in the said Act, upon such Part of any such Parish, Township, or Place as lies within the Limits of such Borough.

Certain Matters of local Jurisdiction made cognizable by Justices of Peace for the County, &c. 6 & 7 W. 4. c. 103.

XXX. And be it enacted, That all Matters cognizable by virtue of any Local Act of Parliament or otherwise by any Justice of the Peace or by the General or Quarter Sessions of the Peace having Jurisdiction within any Place which since the passing of the said Act for regulating Corporations, or of an Act passed in the Sixth and Seventh Year of the Reign of His present Majesty, intituled *An Act to make temporary Provision for the Boundaries of certain Boroughs*, has ceased or which under any future Act may cease to be within and to be Part of any Borough or the Liberties thereof, shall be cognizable by the Justices of the Peace or the General or Quarter Sessions of the County, Riding, or Division, Liberty or Jurisdiction, within which such Place is situate, in the same Manner and subject to the same Provisions as the same were within the Jurisdiction of the Justices of the Peace for that Borough or Place, or of the General or Quarter Sessions of the same.

Offences against local Acts made cognizable by Borough Justices.

XXXI. And be it enacted, That after the passing of this Act all Offences committed within any Borough, or the Precincts thereof, against the Provisions of any Local Act of Parliament, shall be cognizable by the Justices of such Borough, and such Justices shall possess all the Powers and Jurisdiction with respect to such Offences which were heretofore possessed by the Justices of any County, Riding, Division, Liberty, or Jurisdiction, by virtue of any such Local Act: Provided always, that in every Case in which Imprisonment might be awarded for any such Offence, or to enforce Payment

of any Penalty imposed by any such Act, such Imprisonment may be awarded to take place in any Gaol to which the Justices of that Borough have Power to commit Offenders.

XXXII. And be it enacted, That every Court of Record for the Trial of Civil Actions within any Borough named in the Schedules to the said Act for regulating Corporations may in the Absence of the Recorder be holden for all Purposes within the Competency of the said Court (except the Trial of Issues in Law or in Fact) before any Person whom the Recorder shall from Time to Time appoint for that Purpose under his Hand and Seal, such Person being a Barrister at Law or Attorney of Five Years Practice.

Before whom Courts of Record may be holden.

XXXIII. And be it enacted, That all Rules, Orders, and Affidavits, and all other Matters and Things, (except the Trial of Issues in Law or in Fact,) in any way relating to the Business of any Borough Court of Record not regulated by Local Act of Parliament, of which the Recorder or his Deputy is or hereafter may become the Judge or now acts as Assessor, which must now by Law be made, sworn, or done by or before such Recorder or such Deputy, or other the Judge of the said Court, may be made, sworn, or done, either in Court or out of Court, in the Absence of the said Recorder or his Deputy, by or before the Registrar of such Court, or such other Person, being a Barrister at Law or Attorney of Five Years standing, as the Recorder shall appoint under his Hand and Seal.

Orders, Affidavits, &c., now made by or before the Recorder, may be made by or before the Registrar in Absence of the Recorder.

XXXIV. And be it enacted, That in every such Borough Court of Record in which the Recorder acts as Assessor he shall after the passing of this Act be the sole Judge; and that the Provisions of this Act, and of the said Act for regulating Corporations, and also of an Act passed in the last Session of Parliament, intituled *An Act for the better Administration of Justice in certain Boroughs*, shall extend to all such Courts of which the Recorder now acts as Assessor, or of which he shall hereafter become the Judge, any thing in the last-mentioned Acts or either of them to the contrary notwithstanding.

Recorders to be sole Judges of Borough Courts in which they act as Assessors. 6 & 7 W. 4. c. 105.

XXXV. And be it enacted, That if His Majesty shall be pleased, upon the joint Petition of the Council of any Borough named in either of the Schedules to the said Act for regulating Corporations, and of the Justices of the adjoining County, Riding, Parts, or Division of a County, in Quarter Session assembled, to grant that the Jurisdiction of any Court of Record for the Trial of Civil Actions, or of any Court of Requests or of Conscience for the Recovery of Small Debts within such Borough, shall be extended over any District adjacent to the said Borough, and within the Jurisdiction of such Quarter Sessions, such as to His Majesty, with the Advice of His Privy Council, shall seem fit, the Jurisdiction of every such Court respectively shall be extended according to the Tenor of the Grant; and all the Powers and Provisions contained in the said Act for regulating Corporations, and in an Act passed in the last Session

Jurisdiction of Court of Record may be extended.

of

6 & 7 W. 4.
c. 105.

of Parliament, intituled *An Act for the better Administration of Justice in certain Boroughs*, and in this Act, relating to any such Court, shall extend to the whole District comprised within such extended Jurisdiction.

Jurors may, be summoned more than once yearly when all who are qualified have been once summoned.

XXXVI. And whereas by the said Act for regulating Corporations it is provided that no Person shall be summoned to serve as a Juror at the Court of Session of the Peace, or Court of Record, in any Borough named in either of the Schedules to the said Act, oftener than once in One Year; be it enacted, That nothing in the said Act contained shall prevent or excuse any Person, qualified and liable to serve on any such Jury, from being summoned a Second Time in One Year in case every Person qualified and liable so to serve shall have been summoned once during that Year.

Councils of Boroughs to have same Powers as Justices in General or Quarter Sessions had in relation to building, &c. Gaols, &c.

4 G. 4. c. 64.

5 G. 4. c. 85.

5 & 6 W. 4.
c. 38.

XXXVII. And be it enacted, That the several Councils of the Cities of *Canterbury, Lichfield, and Lincoln*, and of every other Borough named in the Schedules to the said Act for regulating Corporations, shall have all the Powers for building, enlarging, and repairing any Gaol or House of Correction belonging to their City or Borough respectively which the Justices having the Government or ordering of any Gaol or House of Correction in any City or Borough within the Provisions of an Act passed in the Fourth Year of the Reign of His late Majesty King *George the Fourth*, intituled *An Act for consolidating and amending the Laws relating to the building, repairing, and regulating of certain Gaols and Houses of Correction in England and Wales*, or of an Act passed in the Fifth Year of the Reign of His late Majesty King *George the Fourth*, intituled *An Act for amending an Act of the last Session of Parliament relating to the building, repairing, and enlarging of certain Gaols and Houses of Correction, and for procuring Information as to the State of all other Gaols and Houses of Correction in England and Wales*, had in General or Quarter Sessions before the passing of the said Act for regulating Corporations; subject nevertheless to any Alteration made in the last-recited Acts, or either of them, by an Act made in the Fifth and Sixth Years of His Majesty, intituled *An Act for effecting greater Uniformity of Practice in the Government of the several Prisons in England and Wales, and for appointing Inspectors of Prisons in Great Britain*, and all Things by any Act of Parliament provided to be done at any General or Quarter Sessions of the Peace, in relation to the building, enlarging, or repairing any such Gaol or House of Correction, shall be done at some quarterly Meeting of the Council of the City or Borough: Provided always, that before the building, enlarging, or repairing any such Gaol or House of Correction the Expediency thereof shall first be certified under the Hand of the Recorder or other Judge of such City or Borough: Provided also, that all Rules and Regulations made for the Government of any Prisoners confined in any such Gaol or House of Correction shall be approved by Two or more Justices acting in and for that City or Borough before they shall be transmitted to the Secretary of State.

XXXVIII. And

XXXVIII. And be it enacted, That all the Powers of Regulation which before the passing of the said Act for regulating Corporations were possessed by the Justices having the Government or Ordering of any such Gaol or House of Correction, and all Things by any Act of Parliament provided to be done at any General or Quarter Sessions of the Peace in relation to the regulating of any such Gaol or House of Correction, shall, subject to any such Alteration as aforesaid, be exercised or done by the Justices of the City or Borough to which such Gaol or House of Correction shall belong, and for that Purpose the Justices shall hold a quarterly Session at the usual Times of holding quarterly Sessions of the Peace; provided that no Order made by the Justices in pursuance of these Powers which shall require the Expenditure or Payment of any Money shall be of force until confirmed by the Council of that City or Borough.

Justices of
Cities or
Boroughs
to regulate
Gaols, &c.
therein at
quarterly
Sessions.

XXXIX. And be it enacted, That it shall not be lawful for any Mayor, Alderman, Councilman, or other Officer of a Corporation, to be interested or concerned or employed, directly or indirectly, as an Architect, Builder, Artist, Mechanic, Workman, Merchant, Trader, or otherwise howsoever in any Part of the Work to be done or Materials to be supplied at any such Gaol or House of Correction, or in any Contract whatever relating thereto; and if any one holding such Office shall be so interested, concerned, or employed in such Work or Contract as aforesaid, he shall thenceforward be disqualified from continuing to hold such Office, and also from being thereafter elected or appointed to fill any Corporate Office within any such City or Borough.

Mayor, &c.
not to be
interested in,
any Contract
for building,
&c. Gaols,
&c.

XL. And be it enacted, That it shall be lawful for the Mayor, Aldermen, and Burgesses of any Borough, by their Council, to contract for the Purchase of, and to have and hold to them and their Successors, any Lands not exceeding in the whole Five Acres, either within or beyond the Limits of the Borough, and to build thereon a Town Hall, Council House, Police Office, Gaol or House of Correction for the Borough; and any such Gaol or House of Correction, although built beyond the Limits of the Borough, may be declared by a Resolution of the Council, and upon such Resolution shall be taken to be, the Gaol or House of Correction of the Borough, and shall be within the same Jurisdiction and shall be governed and regulated in like Manner as if within the Limits of the Borough.

Borough
Gaol may be
built beyond
the Limits of
the Borough.

XLI. And whereas by the Extension of the Boundaries of certain Boroughs, Cities, and Places, the County Gaols, Court Houses, Depôts for Militia Arms, and other public Edifices and Offices of Counties have been included within the Boundaries of those Cities or Boroughs, and are thereby subject to the Jurisdiction of such Cities or Boroughs and of the Sheriffs and other Municipal Authorities thereof; in Remedy whereof be it enacted, That all County Gaols, Courts, Depôts for Arms, and all Lands, Buildings, Easements, and Appurtenances thereunto belonging, which before the passing of the Act passed in the last Session of Parliament to make temporary Provision for the Boundaries of certain Boroughs, or the

Gaols, &c.
under County
Jurisdiction
previous to
6 & 7 W. 4.
c. 103. ex-
cluded from
the Provisions
of that Act.

authorized Extension of the Boundaries of any Borough since the passing of that Act, were in, of, or belonging to any County, shall be taken to be and considered and shall remain Part and Parcel of such County, and under the exclusive Jurisdiction of the Authorities of such County, as if the said last-mentioned Act had not passed.

Certain Borough Debtors and Prisoners in Contempt may be removed to the County Gaol.

XLII. And be it enacted, That in every Case in which by virtue of any Contract made between the Council of any Borough and the Justices of any County, Riding, Parts, or Division of a County, Liberty, or Jurisdiction, according to the Provisions of the said Act for regulating Corporations, the Gaol belonging to such County, Riding, Parts, or Division of a County, Liberty, or Jurisdiction shall be used as the Gaol of such Borough, Prisoners for Debt or in Contempt arrested in any such Borough under any Process from any Court may be taken and removed from such Borough and confined in that Part of such Gaol which is appropriated to Debtors, and such Removal shall not be taken to be an Escape: Provided always, that every such Prisoner shall still be taken to be within the legal Custody of the Person or Persons in whose Custody he would have been if imprisoned within the Borough Gaol, and the Sheriff of such County, Riding, Parts, or Division of a County, Liberty, or Jurisdiction shall not be answerable for the safe Custody of any such Prisoner: Provided also, that it shall be lawful for the Person or Persons in whose Custody such Prisoner would have been if imprisoned within the Borough Gaol to take such Security from the Gaoler or Keeper of the Gaol to which any such Prisoner shall be so removed, for the safe Custody of all such Prisoners, as shall be agreed on between the Council and Justices aforesaid.

Period to which Accounts shall be made up.

XLIII. And whereas an Act was passed in the last Session of Parliament, intituled *An Act for the better Administration of the Borough Fund in certain Boroughs*, providing among other things that Accounts of the Receipt and Expenditure on account of the Mayor, Aldermen, and Burgesses of such Boroughs should be sent to One of His Majesty's Principal Secretaries of State, and be laid before both Houses of Parliament; be it enacted, That every such Account shall be made up to the last Period of Audit of the said Receipt and Expenditure, and not further or otherwise.

Orders for Payment of Money may be removed into the Court of King's Bench by Certiorari.

XLIV. And whereas it is expedient to give all Persons interested in the Borough Fund of every Borough a more direct and easy Remedy for any Misapplication of such Fund; be it therefore enacted, That any Order of the Council of any Borough for the Payment of any Sum of Money from or out of the Borough Fund of any Borough may be removed into the Court of King's Bench by Writ of Certiorari, to be moved for according to the usual Practice of the said Court with respect to Writs of Certiorari; and that such Order may be disallowed or confirmed upon Motion and Hearing, with Costs, according to the Judgment and Discretion of the said Court.

Manner of transferring Corporate

XLV. And be it enacted, That any Stocks, Funds, or Public Securities which may be standing in the Books of the Governor and Company

Company of the Bank of *England*, or of any other public Company or Society, in the Name of the Mayor, Aldermen, and Burgesses of any Borough, either under their present or under any former Style or Title of Incorporation, and the Dividends and Interest thereof, and all Bonuses and Accretions thereunto, which shall belong to the Body Corporate of such Borough, without being subject to any Trust for charitable Purposes, may be transferred by and paid to such Person or Persons as the Council of the said Body Corporate shall appoint by an Instrument in Writing under the Corporate Seal of the Borough; provided that such Instrument of Appointment shall be signed and sealed also by the Clerk to the Charitable Trustees of the Borough, who is hereby directed, upon Request, to sign and seal the same.

Property
standing in
the Bank
Books, &c.

XLVI. And be it enacted, That any Stocks, Funds, Securities, and Monies standing as aforesaid in the Name of any such Body Corporate, which shall belong to the Charitable Trustees of the Borough solely upon some charitable Trust or Trusts, may be transferred by and paid to such Person or Persons as shall be appointed under the Hands and Seals of the greater Part of the Trustees, which Appointment shall be attested under the Hand and Seal of the said Clerk, provided that such Instrument as last aforesaid shall be also sealed with the Corporate Seal of the Borough, and the Mayor of the Borough is hereby required, upon Request, to cause the Seal of the Borough to be affixed to such Instrument of Nomination.

Manner of
transferring
Charitable
Property
standing in
the Bank
Books, &c.

XLVII. And be it enacted, That the Dividends and Interest of any Stocks, Funds, Securities, and Monies standing as aforesaid in the Name of any such Body Corporate which shall belong partly to the said Body Corporate, but subject to some charitable Trust or Trusts, may be paid to such Person or Persons as shall be authorized to have the same paid to him or them, by an Instrument in Writing under the Corporate Seal of the Borough, and appointed under the Hands and Seals of the greater Part of the Trustees, which Appointment shall be attested under the Hand and Seal of the said Clerk.

By what
Authority
and to whom
Dividends of
charitable
and corpo-
rate Property
standing in
the Bank
Books, &c.
shall be paid.

XLVIII. And be it enacted, That in every Case the Receipt of the Person or Persons authorized to give a Receipt to the said Company or Society, by any Instrument under the Corporate Seal of the said Borough, and also signed and sealed by the Clerk to the Charitable Trustees, shall be an effectual Discharge to the said Company or Society, and all Monies so paid shall be applied to the Uses and in the Manner provided by the said Act; that is to say, so much of the said Monies as may be held on charitable Trusts shall be paid over to the Charitable Trustees of the said Borough, and so much as the said Body Corporate shall be entitled to beneficially shall be paid over to the Treasurer of the Borough, and applied as directed by the said Act as Part of the Borough Fund; but no such public Company or Society as aforesaid shall be bound to see to the due Application thereof, or to the Validity of the Appointment of the Clerk to the Charitable Trustees, or to the Execution of any such Instrument by any

Receipts for
Monies, and
Application
thereof. -

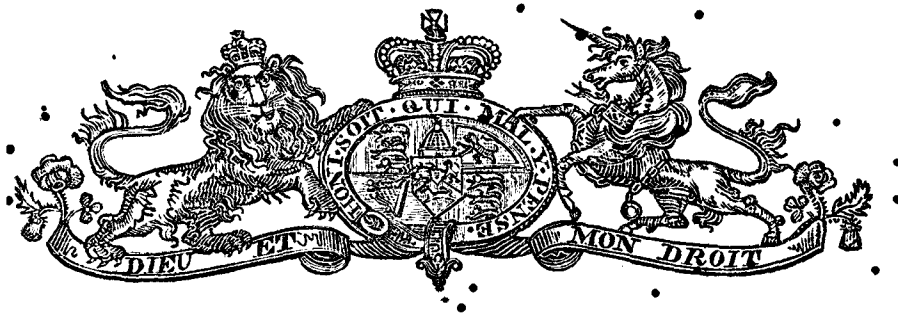
any of the said Trustees, or to inquire whether or not the said Stocks, Funds, Securities, or Monies are charged with or held upon any charitable Trust; and every Person authorized to receive any Monies under this Act shall account to the Council and to the Charitable Trustees respectively for all Monies so received by him, and the Council and Trustees respectively shall have the same Remedies against any such Person refusing or wilfully neglecting so to account as are provided by the said Act for regulating Corporations, in the Case of a Treasurer or other Officer appointed by the Council refusing or wilfully neglecting to account, as provided by the said Act, during the Continuance of his Office, or within Three Months after the Expiration of his Office.

Powers of
the Act
5 & 6 W. 4.
c. 76. may be
granted by
the Crown to
Towns or
Boroughs,
though not
Corporate.

XLIX. And be it enacted, That if the Inhabitant Householdors of any Town or Borough in *England* or *Wales* shall petition His Majesty to grant to them a Charter of Incorporation, it shall be lawful for His Majesty, by any such Charter, if He shall think fit by the Advice of His Privy Council to grant the same, to extend to the Inhabitants of any such Town or Borough within the District to be set forth in such Charter all the Powers and Provisions of the said Act for regulating Corporations, whether such Town or Borough be or be not a Corporate Town or Borough, or be or be not named in either of the Schedules to the said Act: Provided nevertheless, that Notice of every such Petition, and of the Time when it shall please His Majesty to order that the same be taken into Consideration by His Privy Council, shall be published in the *London Gazette* One Month at least before such Petition shall be so considered, but such Publication shall not need to be by Royal Proclamation.

Business to
be trans-
acted at
General
or Quarter
Sessions for
the Counties,
&c. in which
Boroughs
are situate.

L. And be it further enacted, That, in all Boroughs and Places where General or Quarter Sessions of the Peace have under and by virtue of the said recited Act ceased or been discontinued to be holden, all such Business, Matters, and Things which, under or by virtue of any General or Local Act of Parliament, or any Usage or Custom, ought or were usually heard, decided, or transacted at such General or Quarter Sessions by the Justices of the Peace, with the Assistance of any Juries there assembled, shall and may hereafter be heard, decided, and transacted by the General or Quarter Sessions of the Peace for the Counties, Ridings, or Divisions, Liberties, or Jurisdictions in which such Boroughs are situate, and by the Justices of the Peace and Juries there assembled respectively.



ANNO PRIMO

VICTORIÆ. REGINÆ.

C A P. LXXIX.

An Act to apply the Sum of Five millions two hundred and twenty thousand Pounds out of the Consolidated Fund to the Service of the Year One thousand eight hundred and thirty-seven, and to appropriate the Supplies granted in this Session of Parliament. [17th July 1837.]

Most Gracious Sovereign,

WE, Your Majesty's most dutiful and loyal Subjects, the Commons of the United Kingdom of *Great Britain* and *Ireland*, in Parliament assembled, towards making good the Supply which we have cheerfully granted to Your Majesty in this Session of Parliament, have resolved to grant unto Your Majesty the Sum herein-after mentioned; and do therefore most humbly beseech Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That there shall and may be issued and applied, for or towards making good the Supply granted to Her Majesty for the Service of the Year One thousand eight hundred and thirty-seven, the Sum of Five millions two hundred and twenty thousand Pounds out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, and the Commissioners of Her Majesty's Treasury of the

There shall be applied, for the Service of the Year 1837, 5,220,000*l.* out of the Consolidated Fund.

United Kingdom of *Great Britain* and *Ireland*, or any Three or more of them, or the Lord High Treasurer of the United Kingdom of *Great Britain* and *Ireland* for the Time being, are or is hereby authorized and empowered to issue and apply the same accordingly.

The Treasury
may cause
5,220,000*l.*
of Exchequer
Bills to be made
out in manner
prescribed by
48 G. 3. c. 1.

II. And be it enacted, That it shall and may be lawful for the Commissioners of Her Majesty's Treasury, or any Three or more of them, for the Time being, from Time to Time, by Warrant under their Hands, to cause or direct any Number of Exchequer Bills to be made out at the Receipt of Her Majesty's Exchequer at *Westminster* for any Sum or Sums of Money not exceeding in the whole the Sum of Five millions two hundred and twenty thousand Pounds; and such Exchequer Bills shall be made out in the same or like Manner, Form, and Order, and according to the same or like Rules and Directions, as are directed and prescribed in and by an Act passed in the Forty-eighth Year of the Reign of His Majesty King *George the Third*, intituled *An Act for regulating the issuing and paying off of Exchequer Bills*.

The Clauses,
&c. in recited
Act extended
to this Act.

III. And be it enacted, That all and every the Clauses, Provisoos, Powers, Privileges, Advantages, Penalties, Forfeitures, and Disabilities contained in the said recited Act passed in the Forty-eighth Year of the Reign of His said Majesty shall be applied and extended to the Exchequer Bills to be made out in pursuance of this Act, as fully and effectually, to all Intents and Purposes, as if the said several Clauses, Provisoos, Powers, Privileges, Advantages, Penalties, Forfeitures, and Disabilities had been particularly repeated and re-enacted in the Body of this Act.

Interest on
Exchequer
Bills.

IV. And be it enacted, That the Exchequer Bills to be made out in pursuance of this Act shall and may bear an Interest not exceeding the Rate of Three-pence Halfpenny *per Centum per Diem* upon or in respect of the whole of the Monies respectively contained therein.

Bank of
England may
advance
5,220,000*l.* on
the Credit of
this Act, not-
withstanding
5 & 6 W. & M.
c. 20.

V. And be it declared and enacted, That it shall and may be lawful for the Governor and Company of the Bank of *England*, and they are hereby empowered, to take, accept, and receive the Exchequer Bills authorized to be made out in pursuance of this Act, and to advance or lend to Her Majesty, at the Receipt of the Exchequer at *Westminster*, upon the Credit of the Sum granted by this Act out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, any Sum or Sums of Money not exceeding in the whole the Sum of Five millions two hundred and twenty thousand Pounds, any thing in an Act passed in the Fifth and Sixth Years of the Reign of King *William* and Queen *Mary*, intituled *An Act for granting to Their Majesties several Rates and Duties upon the Tonnage of Ships and Vessels, and upon Beer, Ale, and other Liquors; and for securing certain Recompences and Advantages in the said Act mentioned to such Persons as shall voluntarily advance the Sum of One million five hundred thousand Pounds towards carrying on the War against France*, or any other Act or Acts to the contrary notwithstanding.

VI. And be it enacted, That it shall be lawful for the said Commissioners of the Treasury and they are hereby authorized and empowered to cause such Bills as shall be prepared by virtue of this Act to be delivered from Time to Time to the Governor and Company of the Bank of *England*, in such Proportions as the Public Service may require, as Security for any Advance or Advances which may be made to Her Majesty by the said Governor and Company of the Bank of *England* under the Authority of this Act.

Bills prepared by virtue of this Act to be delivered to the Bank as Security for such Advances.

VII. And be it enacted, That it shall be lawful for the said Commissioners of Her Majesty's Treasury to issue and apply from Time to Time all such Sums of Money as shall be raised by Exchequer Bills to be made out in pursuance of this Act to such Services as shall then have been voted by the Commons of the United Kingdom of *Great Britain* and *Ireland* in this present Session of Parliament.

Monies raised by Exchequer Bills to be applied to Services voted by the Commons.

VIII. And be it enacted, That the Principal Sum or Sums of Money to be contained in all such Exchequer Bills to be made forth by virtue of this Act, together with the Interest that may become due thereon, shall be and the same are hereby made chargeable and charged upon the growing Produce of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland* in the next succeeding Quarter to that in which the said Exchequer Bills have been issued; and it shall be lawful for the said Commissioners of the Treasury for the Time being, or any Three or more of them, and they are hereby authorized, from Time to Time, by Warrant under their Hands, to direct the Comptroller General of the Receipt of the Exchequer at *Westminster*, in such Manner as they shall think necessary, to grant a Credit on the Exchequer Funds in the Bank of *England* unto such Person or Persons as shall be named in the said Warrant, which Credit shall be chargeable on and paid out of the growing Produce of the said Consolidated Fund of the next succeeding Quarter to that in which the said Exchequer Bills have been issued, any Sum or Sums of Money not exceeding in the whole a Sum sufficient to discharge and pay off the Principal Sum or Sums of Money contained in such Exchequer Bills then outstanding, and which may have been made out and issued by virtue of this Act, together with all such Interest as may be due thereupon.

Exchequer Bills made chargeable upon the growing Produce of the Consolidated Fund.

IX. And be it enacted, That all the Monies coming into the Exchequer of *Great Britain* by an Act passed in the present Session of Parliament, intituled *An Act to apply the Sum of Two Millions to the Service of the Year One thousand eight hundred and thirty-seven*; and all the Monies coming into the said Exchequer by one other Act passed in this present Session of Parliament, intituled *An Act to apply the Sum of Eight Millions out of the Consolidated Fund, to the Service of the Year One thousand eight hundred and thirty-seven*; and also the Sum of Eleven Millions granted by one other Act passed in the present Session of Parliament, intituled *An Act for raising the Sum of Eleven Millions by Exchequer Bills, for the Service of the Year One thousand eight hundred and thirty-seven*; and also all the Monies to be raised by Exchequer Bills, not exceeding Three Millions, by virtue of one other Act passed in the present Session of Parliament,

Monies coming into the Exchequer by 7 W. 4. c. 6.;

Monies coming in by 7 W. 4. c. 11.

11,000,000l. by Exchequer Bills, 7 W. 4. c. 16.

Monies coming in by 1 Vict. c. 27.

13,623,300*l.* by
Exchequer
Bills,
1 Vict. c. 38.

and 5,220,000*l.*
by this Act, shall
be applied as
hereafter ex-
pressed.

Parliament, intituled *An Act for granting to Her Majesty, until the Fifth Day of July One thousand eight hundred and thirty-eight, certain Duties on Sugar imported into the United Kingdom, for the Service of the Year One thousand eight hundred and thirty-seven*; and also the Sum of Thirteen millions six hundred and twenty-three thousand three hundred Pounds granted by one other Act passed in the present Session of Parliament, intituled *An Act for raising the Sum of Thirteen millions six hundred and twenty-three thousand three hundred Pounds by Exchequer Bills, for the Service of the Year One thousand eight hundred and thirty-seven*; and also the Sum of Five millions two hundred and twenty thousand Pounds by this Act granted, shall be further appropriated, and are hereby appropriated, and shall be issued and applied for and towards the several Uses and Purposes hereafter expressed.

There shall
be applied
4,788,761*l.*
for Naval
Services; viz.

1,051,916*l.* for
Wages to 33,700
Seamen and
Marines, &c.;

452,898*l.* for
Victuals for
Seamen, &c. in
the Navy;

408,535*l.* for
Wages of Arti-
ficers, &c. at
home;

24,335*l.* for
Wages of Arti-
ficers, &c.
abroad;

359,827*l.* for
Naval Stores,
&c.;

109,195*l.* for
Salaries, &c. of
the Admiralty
Office;

2,365*l.* for
Registry of
Merchant
Seamen's
Office, &c.;

X. And it is hereby also enacted, That out of all or any the Aids or Supplies aforesaid there shall and may be issued and applied any Sum or Sums of Money not exceeding Four millions seven hundred eighty-eight thousand seven hundred and sixty-one Pounds, for and towards the Naval Services herein-after more particularly mentioned; (that is to say,) any Sum or Sums of Money not exceeding One million fifty-one thousand nine hundred and sixteen Pounds, to defray the Charge of Wages to Thirty-three thousand seven hundred Seamen and Marines, and to the Ordinary and Yard Craft, which will come in course of Payment during the Year ending on the Thirty-first Day of *March* One thousand eight hundred and thirty-eight; and any Sum or Sums of Money not exceeding Four hundred fifty-two thousand eight hundred and ninety-eight Pounds, to defray the Charge of Victuals for Seamen and Marines in Her Majesty's Fleet, and for the Ordinary and Yard Craft, to the Thirty-first Day of *March* One thousand eight hundred and thirty-eight; and any Sum or Sums of Money not exceeding Four hundred and eighty-five Pounds, to pay the Wages of Artificers, Labourers, and others employed in Her Majesty's Naval Establishments at home, to the Thirty-first Day of *March* One thousand eight hundred and thirty-eight; and any Sum or Sums of Money not exceeding Twenty-four thousand three hundred and thirty-five Pounds, to pay the Wages of Artificers, Labourers, and others employed in Her Majesty's Naval Establishments abroad, to the Thirty-first Day of *March* One thousand eight hundred and thirty-eight; and any Sum or Sums of Money not exceeding Three hundred fifty-nine thousand eight hundred and twenty-seven Pounds, to defray the Expence of Naval Stores for the Building and Repair of Ships and Vessels, Purchase of Steam Machinery, and for other Purposes connected therewith, to the Thirty-first Day of *March* One thousand eight hundred and thirty-eight; and any Sum or Sums of Money not exceeding One hundred and nine thousand one hundred and ninety-five Pounds, to defray the Salaries of the Officers and the contingent Expences of the Admiralty Office, to the Thirty-first Day of *March* One thousand eight hundred and thirty-eight; and any Sum or Sums of Money not exceeding Two thousand three hundred and sixty-five Pounds, to defray the Salaries of the Officers and the incidental Expences of the Office for the Registry of Merchant Seamen, to the Thirty-first Day of *March* One thousand

- thousand eight hundred and thirty-eight; and any Sum or Sums of Money not exceeding Thirty-three thousand two hundred and seventy Pounds, to defray the Salaries of the Officers, and the contingent Expenses of the several Scientific Departments of the Navy, to the Thirty-first Day of *March* One thousand eight hundred and thirty-eight; and any Sum or Sums of Money not exceeding One hundred eighteen thousand five hundred and six Pounds, to defray the Salaries of the Officers, and the contingent Expenses of Her Majesty's Naval Establishments at Home, to the Thirty-first Day of *March* One thousand eight hundred and thirty-eight; and any Sum or Sums of Money not exceeding Nineteen thousand six hundred and fifty-four Pounds, to defray the Salaries of the Officers, and the contingent Expenses of Her Majesty's Naval Establishments abroad, to the Thirty-first Day of *March* One thousand eight hundred and thirty-eight; and any Sum or Sums of Money not exceeding One hundred and eight thousand and forty-eight Pounds, to defray the Charge of new Works and Improvements and Repairs in the Yards, to the Thirty-first Day of *March* One thousand eight hundred and thirty-eight; and any Sum or Sums of Money not exceeding Eighteen thousand one hundred and sixty Pounds, to defray the Charge of Medicines and Medical Stores, to the Thirty-first Day of *March* One thousand eight hundred and thirty-eight; and any Sum or Sums of Money not exceeding Twenty-nine thousand three hundred and sixty-six Pounds, to defray the Charge of divers Naval Miscellaneous Services, to the Thirty-first Day of *March* One thousand eight hundred and thirty-eight; and any Sum or Sums of Money not exceeding Eight hundred and ten thousand seven hundred and seventy-one Pounds, to defray the Charge of Half Pay to Officers of the Navy and Royal Marines, which will come in course of Payment during the Year ending on the Thirty-first Day of *March* One thousand eight hundred and thirty-eight; and any Sum or Sums of Money not exceeding Five hundred twenty-eight thousand six hundred and forty-nine Pounds, to defray the Charge of Military Pensions and Allowances, which will come in course of Payment during the Year ending on the Thirty-first Day of *March* One thousand eight hundred and thirty-eight; and any Sum or Sums of Money not exceeding Two hundred and eight thousand seven hundred and sixty-five Pounds, to defray the Charge of Civil Pensions and Allowances, which will come in course of Payment during the Year ending on the Thirty-first Day of *March* One thousand eight hundred and thirty-eight; and any Sum or Sums of Money not exceeding One hundred thirty-nine thousand and fifty-three Pounds, to defray the Charge of Transports on Monthly Pay, and to defray the other Charges for the Conveyance and Victualling of Troops, and for the Freight of Stores on account of the Army and Ordnance Departments, which will come in course of Payment during the Year ending on the Thirty-first Day of *March* One thousand eight hundred and thirty-eight; and any Sum or Sums of Money not exceeding Ninety-eight thousand one hundred and eighty-eight Pounds, to defray the Expence of conveying Convicts to *New South Wales*, which will come in course of Payment during the Year ending on the Thirty-first Day of *March* One thousand eight hundred and thirty-eight; and any Sum or Sums of Money not exceeding Twenty-two thousand eight hundred and eleven Pounds, to defray the Charge of
- 33,270*l.* for the Scientific Departments of the Navy;
- 118,506*l.* for Naval Establishments at Home;
- 19,654*l.* for Naval Establishments Abroad;
- 108,048*l.* for new Works in Yards;
- 18,160*l.* for Medicines, &c.;
- 29,366*l.* for Naval Miscellaneous Services;
- 810,771*l.* for Naval Half Pay;
- 528,649*l.* for Military Pensions;
- 208,765*l.* for Civil Pensions;
- 139,053*l.* to defray the Charge of Transports;
- 98,188*l.* for conveying Convicts to *N. S. Wales*.
- 22,811*l.* for Wages for Seamen in Packet Service;

Wages for Seamen employed in the Packet Service, which will come in course of Payment in the Year ending on the Thirty-first Day of *March* One thousand eight hundred and thirty-eight; and any Sum or Sums of Money not exceeding Ten thousand seven hundred and seventy Pounds, to defray the Charge of Victuals for Seamen in Her Majesty's Fleet, to the Thirty-first Day of *March* One thousand eight hundred and thirty-eight; and any Sum or Sums of Money not exceeding Two thousand four hundred and eighty-eight Pounds, to defray the Salaries of the Officers of the Admiralty Office, to the Thirty-first Day of *March* One thousand eight hundred and thirty-eight; and any Sum or Sums of Money not exceeding Two thousand three hundred and ninety-one Pounds, to defray the Salaries of the Officers, and the contingent Expences of Her Majesty's Naval Establishments at Home, to the Thirty-first Day of *March* One thousand eight hundred and thirty-eight; and any Sum or Sums of Money not exceeding Forty thousand Pounds, to pay the Wages of Artificers, Labourers, and others employed in Her Majesty's Naval Establishments at Home, to the Thirty-first Day of *March* One thousand eight hundred and thirty-eight; and any Sum or Sums of Money not exceeding One hundred and fifty-five thousand Pounds, to defray the Expence of Naval Stores for the Building and Repair of Vessels, for the Purchase and Hire of Vessels and of Steam Machinery, and for other Purposes connected therewith, to the Thirty-first Day of *March* One thousand eight hundred and thirty-eight; and any Sum or Sums of Money not exceeding Three thousand Pounds, to defray the Charge of new Works, Improvements, and Repairs in the Yards, to the Thirty-first Day of *March* One thousand eight hundred and thirty-eight; and any Sum or Sums of Money not exceeding Thirty thousand eight hundred Pounds, to defray the Charge of divers Naval Miscellaneous Services, to the Thirty-first Day of *March* One thousand eight hundred and thirty-eight.

There shall be applied 6,401,101*l.* 17*s.* 3*d.* for Army Services; viz.

3,111,652*l.* 1*s.* 10*d.* for Forces in U.K. and Stations Abroad (except the *East Indies*);

154,196*l.* 19*s.* 3*d.* for General Staff Officers, &c.;

XI. And it is hereby also enacted, That out of all or any the Aids or Supplies aforesaid there shall and may be issued and applied any Sum or Sums of Money not exceeding Six millions four hundred and one thousand one hundred and one Pounds Seventeen Shillings and Three-pence, for and towards the Army Services herein-after more particularly mentioned; (that is to say,) any Sum or Sums of Money not exceeding Three millions one hundred eleven thousand six hundred and fifty-two Pounds One Shilling and Ten-pence, for defraying the Charge of Her Majesty's Land Forces for Service in the United Kingdom of *Great Britain and Ireland*, and on Stations Abroad (excepting the Regiments employed in the Territorial Possessions of the *East India Company*), for the Year from the First Day of *April* One thousand eight hundred and thirty-seven to the Thirty-first Day of *March* One thousand eight hundred and thirty-eight both Days inclusive; and any Sum or Sums of Money not exceeding One hundred fifty-four thousand one hundred and ninety-six Pounds Nineteen Shillings and Three-pence, for defraying the Charge of General Staff Officers and Officers of the Hospitals, serving with Her Majesty's Forces in the United Kingdom of *Great Britain and Ireland*, and on Foreign Stations (excepting *India*), and of Her Majesty's Garrison of the *Tower of London*, for the Year from the First Day of

April One thousand eight hundred and thirty-seven to the Thirty-first Day of *March* One thousand eight hundred and thirty-eight both Days inclusive; and any Sum or Sums of Money not exceeding Fifty-six thousand nine hundred and seventeen Pounds Four Shillings and Four-pence, for defraying the Charge of the Allowances to the Principal Officers of the several Public Military Departments in *Great Britain*, their Deputies, Clerks, and contingent Expences, for the Year from the First Day of *April* One thousand eight hundred and thirty-seven to the Thirty-first Day of *March* One thousand eight hundred and thirty-eight both Days inclusive; and any Sum or Sums of Money not exceeding Sixteen thousand one hundred and twenty-three Pounds and Ten Shillings, for defraying the Charge of the Royal Military Asylum, and of the *Hibernian* Military School, for the Year from the First Day of *April* One thousand eight hundred and thirty-seven to the Thirty-first Day of *March* One thousand eight hundred and thirty-eight both Days inclusive; and any Sum or Sums of Money not exceeding One hundred and five thousand four hundred and seven Pounds Six Shillings and Eight-pence, for defraying the Charge of Volunteer Corps in *Great Britain*, for the Year from the First Day of *April* One thousand eight hundred and thirty-seven to the Thirty-first Day of *March* One thousand eight hundred and thirty-eight both Days inclusive; and any Sum or Sums of Money not exceeding Sixteen thousand four hundred and thirty-two Pounds Nine Shillings and Seven-pence, for defraying the Charge of Rewards for distinguished Military Services, and also of Allowances to Officers of Her Majesty's Garrisons holding their Appointments as Rewards for Military Service, in the United Kingdom of *Great Britain* and *Ireland* and on Foreign Stations, for the Year from the First Day of *April* One thousand eight hundred and thirty-seven to the Thirty-first Day of *March* One thousand eight hundred and thirty-eight both Days inclusive; and any Sum or Sums of Money not exceeding One hundred and thirteen thousand Pounds, for defraying the Charge of the Pay of General Officers in Her Majesty's Forces not being Colonels of Regiments, for the Year from the First Day of *April* One thousand eight hundred and thirty-seven to the Thirty-first Day of *March* One thousand eight hundred and thirty-eight both Days inclusive; and any Sum or Sums of Money not exceeding Sixty-six thousand five hundred Pounds, for defraying the Charge of Full Pay for Reduced and Retired Officers of Her Majesty's Forces, for the Year from the First Day of *April* One thousand eight hundred and thirty-seven to the Thirty-first Day of *March* One thousand eight hundred and thirty-eight both Days inclusive; and any Sum or Sums of Money not exceeding Five hundred and forty-nine thousand Pounds, for defraying the Charge of Half Pay and Military Allowances to Reduced and Retired Officers of Her Majesty's Land Forces, for the Year from the First Day of *April* One thousand eight hundred and thirty-seven to the Thirty-first Day of *March* One thousand eight hundred and thirty-eight both Days inclusive; and any Sum or Sums of Money not exceeding Seventy-one thousand eight hundred Pounds, for defraying the Charge of Half Pay and reduced Allowances to Officers of disbanded Foreign Corps, of Pensions to wounded Foreign Officers, and of Allowances to the Widows and Children of deceased Foreign Officers, for the Year from the

56,917l. 4s. 4d.
for Allowances
to Officers, &c.
of Public
Departments;

16,123l. 10s.
for Royal Military
Asylum;

105,407l. 6s. 8d.
for Volunteer
Corps;

16,432l. 9s. 7d.
for Rewards for
distinguished
Military Services;

113,000l. for
certain General
Officers;

66,500l. for Full
Pay for Retired
Officers;

549,000l. for
Half Pay for
Retired Officers;

71,800l. for
Half Pay, &c.
to Officers of
disbanded Foreign
Corps;

146,728*l.* for
Pensions to
Widows;

146,500*l.* for
Compassionate
List, &c.;

1,326,243*l.* 13*s.*
8*d.* for *Chelsea*
and *Kilmainham*
Hospitals, &c.;

47,000*l.* for
Superannua-
tions in Public
Departments;

40,000*l.* for
Maintenance of
Forces at the
Cape of Good
Hope;

186,758*l.* 5*s.* 3*d.*
for the Commis-
sariat Depart-
ment;

52,727*l.* 4*s.* 6*d.*
for Half Pay
and Pensions
of Commissa-
riat;

192,115*l.* 2*s.* 2*d.*
for Disembodied
Militia.

the First Day of *April* One thousand eight hundred and thirty-seven to the Thirty-first Day of *March* One thousand eight hundred and thirty-eight both Days inclusive; and any Sum or Sums of Money not exceeding One hundred forty-eight thousand seven hundred and twenty-eight Pounds, for defraying the Charge of Pensions to be paid to the Widows of Officers of the Land Forces, for the Year from the First Day of *April* One thousand eight hundred and thirty-seven to the Thirty-first Day of *March* One thousand eight hundred and thirty-eight both Days inclusive; and any Sum or Sums of Money not exceeding One hundred forty-six thousand five hundred Pounds, for defraying the Charge of Allowances on the Compassionate List, of Allowances as of Her Majesty's Royal Bounty, and of Pensions, Gratuities, and Allowances to Officers for Wounds, for the Year from the First Day of *April* One thousand eight hundred and thirty-seven to the Thirty-first Day of *March* One thousand eight hundred and thirty-eight both Days inclusive; and any Sum or Sums of Money not exceeding One million three hundred twenty-six thousand two hundred and forty-three Pounds Thirteen Shillings and Eight-pence, for defraying the Charge of *Chelsea* and *Kilmainham* Hospitals, of the In-Pensioners of those Establishments, of the Out-Pensioners of *Chelsea* Hospital, and of Pensions granted to discharged Negro Soldiers, for the Year from the First Day of *April* One thousand eight hundred and thirty-seven to the Thirty-first Day of *March* One thousand eight hundred and thirty-eight both Days inclusive; and any Sum or Sums of Money not exceeding Forty-seven thousand Pounds, for defraying the Charge of Allowances, Compensations, and Emoluments in the Nature of Superannuation or Retired Allowances to Persons formerly belonging to the several Public Military Departments in the United Kingdom of *Great Britain* and *Ireland*, for the Year from the First Day of *April* One thousand eight hundred and thirty-seven to the Thirty-first Day of *March* One thousand eight hundred and thirty-eight both Days inclusive; and any Sum or Sums of Money not exceeding Forty thousand Pounds, for defraying the Charge which will probably be incurred for the Maintenance, Clothing, and other Expences of Three Companies of Mounted Riflemen, of Two provisional Battalions of Infantry, and of other provisional Corps, which have been raised for the temporary Service of Her Majesty at the *Cape of Good Hope*, for the Year from the First Day of *April* One thousand eight hundred and thirty-seven to the Thirty-first Day of *March* One thousand eight hundred and thirty-eight both Days inclusive; and any Sum or Sums of Money not exceeding One hundred eighty-six thousand seven hundred and fifty-eight Pounds Five Shillings and Three-pence, to defray the Charge of the Commissariat Department to the Thirty-first Day of *March* One thousand eight hundred and thirty-eight; and any Sum or Sums of Money not exceeding Fifty-two thousand seven hundred and twenty-seven Pounds Four Shillings and Sixpence, to defray the Expence of Half Pay, Pensions, and Allowances in the Commissariat Department, to the Thirty-first Day of *March* One thousand eight hundred and thirty-eight; and any Sum or Sums of Money not exceeding One hundred ninety-two thousand one hundred and fifteen Pounds Two Shillings and Two-pence, to defray the Charge of the Disembodied Militia of the United King-
dom,

dom, to the Thirty-first Day of *March* One thousand eight hundred and thirty-eight.

XII. And it is hereby also enacted, That out of all or any the Aids or Supplies aforesaid there shall and may be issued and applied any Sum or Sums of Money not exceeding One million three hundred and two thousand and fourteen Pounds, for and towards the Ordnance Services herein-after more particularly mentioned; (that is to say,) any Sum or Sums of Money not exceeding Sixty-six thousand nine hundred and seventy-five Pounds, for defraying the Salaries to the Master General and the principal Officers and Clerks belonging to the Office of Ordnance at the *Tower, Pall Mall, and Dublin*, for the Year One thousand eight hundred and thirty-seven—eight; and any Sum or Sums of Money not exceeding Eighty-four thousand one hundred and sixty-three Pounds, for defraying the Salaries at *Woolwich*, Home Stations, Out Stations in *Ireland*, and Foreign Stations, and Salaries to Barrack Masters, &c. in *Great Britain, Ireland*, and the Colonies, for the Year One thousand eight hundred and thirty-seven—eight; and any Sum or Sums of Money not exceeding Four thousand four hundred and forty-seven Pounds, for defraying the Expence of the Master Gunners at the several Garrisons and Batteries in *Great Britain and Ireland*, for the Year One thousand eight hundred and thirty-seven—eight; and any Sum or Sums of Money not exceeding Seventy-four thousand two hundred and fifty-nine Pounds, for defraying the Expence of the Corps of Royal Engineers, the Corps of Royal Sappers and Miners, and for the Instruction of Sappers and Miners and of junior Officers of the Corps of Royal Engineers in the Construction of Field Works, for the Year One thousand eight hundred and thirty-seven—eight; and any Sum or Sums of Money not exceeding Two hundred seventy-four thousand six hundred and twenty-five Pounds, for defraying the Expence of the Royal Regiment of Artillery for *Great Britain, Ireland*, and the Colonies, for the Year One thousand eight hundred and thirty-seven—eight; and any Sum or Sums of Money not exceeding Thirty-six thousand one hundred and eighty-eight Pounds, for defraying the Expence of the Brigade of Royal Horse Artillery, and also for the Riding House Troop, for the Year One thousand eight hundred and thirty-seven—eight; and any Sum or Sums of Money not exceeding Six hundred and two Pounds, for defraying the Expence of the Director General of Artillery and Field Train Department, for the Year One thousand eight hundred and thirty-seven—eight; and any Sum or Sums of Money not exceeding Ten thousand one hundred and twenty-nine Pounds for defraying the Expence of the Medical Establishment for the Military Department of the Ordnance, for the Year One thousand eight hundred and thirty-seven—eight; and any Sum or Sums of Money not exceeding One hundred sixty-five thousand three hundred and thirty-one Pounds, for defraying the Charge for the Superintendence, and for Ordnance Works and Repairs, Building and Repair of Barracks, for Storekeepers and Barrack Masters Expenditure, Allowances to Barrack Masters and Serjeants in *Great Britain, Ireland*, and the Colonies, for the Year One thousand eight hundred and thirty-seven—eight, after deducting Two hundred thousand nine hundred and fifty-six Pounds Credits to be received for Rents, Sale of Lands and Premises, Sale of Arms,

There shall be issued 1,302,014*l.* for Ordnance Services; viz.

66,975*l.* for Ordnance at the *Tower, &c.*;

84,163*l.* for Salaries at *Woolwich*, Home Stations, Out Stations in *Ireland*, and Foreign Stations, &c.;

4,447*l.* for Master Gunners;

74,259*l.* for the Corps of Royal Engineers, Sappers, &c.;

274,625*l.* for the Royal Regiment of Artillery;

36,188*l.* for Royal Horse Artillery, &c.;

602*l.* for Field-Train Department;

10,129*l.* for the Medical Establishment;

165,331*l.* for Superintendence, and for Ordnance Works and Repairs, &c.

138,746*l.* for
Military, Civil,
and Barrack
Contingencies ;

65,000*l.* for
Ordnance and
Military Store
Branch Ser-
vices ;

8,324*l.* for
Ordnance Ser-
vices ;

169,847*l.* for
Ordnance
Superannua-
tions, Retired
Allowances,
Pensions, &c. ;

203,378*l.* for
Bread, &c. for
Troops in *Great
Britain*, and for
Coals, &c. to
Stations in the
Colonies.

old Stores, &c. and for Rent of Canteens ; and any Sum or Sums of Money not exceeding One hundred thirty-eight thousand seven hundred and forty-six Pounds, for defraying the Expence of the Military, Civil, and Barrack Contingencies in *Great Britain*, *Ireland*, and the Colonies, for the Year One thousand eight hundred and thirty-seven—eight ; and any Sum or Sums of Money not exceeding Sixty-five thousand Pounds, for defraying the Expence of Stores for Ordnance and Military Store Branch Services in *Great Britain*, *Ireland*, and the Colonies, for the Year One thousand eight hundred and thirty-seven—eight ; and any Sum or Sums of Money not exceeding Eight thousand three hundred and twenty-four Pounds, for defraying the Expence of Services performed by the Office of Ordnance, and not provided for by Parliament, in the Year One thousand eight hundred and thirty-six—seven ; and any Sum or Sums of Money not exceeding One hundred sixty-nine thousand eight hundred and forty-seven Pounds, for defraying the Charge of the Office of Ordnance on account of the Allowances to Superannuated, Retired, and Half Pay Officers, Pensions for good Services, Wounds, and Pensions to Widows and Children of deceased Officers late belonging to the several Ordnance Military Corps ; also for Allowances, Compensations, and Emoluments in the Nature of Superannuated or Retired Allowances to Persons late belonging to the Office of Ordnance and to the Barrack Department, in respect of their having held any Public Offices or Employments of a Civil Nature ; and also for Widows Pensions in *Great Britain* and *Ireland*, for the Year One thousand eight hundred and thirty-seven—eight ; and any Sum or Sums of Money not exceeding Two hundred and three thousand three hundred and seventy-eight Pounds, for defraying the Expence of Commissariat Supplies, *viz.* for the Supply of Bread, Meat, and Forage, Coals, Candles, and Straw for the Troops of *Great Britain*, and of Coals, Candles, Oil, Oats, &c. from *Great Britain* to Stations in the Colonies, for the Year One thousand eight hundred and thirty-seven—eight.

There shall
be issued
2,623,300*l.*
to pay off Ex-
chequer Bills
charged on the
Aids of 1836
or 1837.

XIII. And it is hereby also enacted, That out of all or any the Aids or Supplies aforesaid there shall and may be issued and applied any Sum or Sums of Money not exceeding Twenty-four millions six hundred twenty-three thousand three hundred Pounds, to pay off and discharge any Exchequer Bills charged on the Aids or Supplies of the Years One thousand eight hundred and thirty-six or One thousand eight hundred and thirty-seven now remaining unpaid and unprovided for.

There shall
be issued
3,783*l.* for Civil
Establishment
of the *Bahama
Islands* ;

4,449*l.* 13*s.* 4*d.*
for *Bermuda
Islands* ;

3,070*l.* for
*Prince Edward's
Island* ;

XIV. And it is hereby also enacted, That out of all or any the Aids or Supplies aforesaid there shall and may be issued and applied any Sum or Sums of Money not exceeding Three thousand seven hundred and eighty-three Pounds, to defray the Charge of the Civil Establishment of the *Bahama Islands*, to the Thirty-first Day of *March* One thousand eight hundred and thirty-eight ; and any Sum or Sums of Money not exceeding Four thousand four hundred and forty-nine Pounds Thirteen Shillings and Four-pence, to defray the Charge of the Civil Establishment of the *Bermudas*, to the Thirty-first Day of *March* One thousand eight hundred and thirty-eight ; and any Sum or Sums of Money not exceeding Three thousand and seventy

seventy Pounds, to defray the Charge of the Civil Establishment of *Prince Edward's Island*, to the Thirty-first Day of *March* One thousand eight hundred and thirty-eight; and any Sum or Sums of Money not exceeding Eleven thousand and thirty Pounds Fifteen Shillings and Ten-pence, to defray the Charge of the Civil Establishments on the Western Coast of *Africa*, to the Thirty-first Day of *March* One thousand eight hundred and thirty-eight; and any Sum or Sums of Money not exceeding Fourteen thousand one hundred and forty Pounds Eighteen Shillings and Sixpence, to defray the Expences of the Ecclesiastical Establishment of the *British North American Provinces*, to the Thirty-first Day of *March* One thousand eight hundred and thirty-eight; and any Sum or Sums of Money not exceeding Five thousand three hundred and nine Pounds and Five Shillings, to defray the Expence of the Settlement of *Western Australia*, to the Thirty-first Day of *March* One thousand eight hundred and thirty-eight; and any Sum or Sums of Money not exceeding Nineteen thousand five hundred Pounds, to defray the Expence of the Establishment and Pensions of the *Indian Department* in *Lower and Upper Canada*, to the Thirty-first Day of *March* One thousand eight hundred and thirty-eight; and any Sum or Sums of Money not exceeding Nine hundred and sixty-three Pounds and Ten-pence, to defray the Expence of the Civil Establishment of *Heligoland*, to the Thirty-first Day of *March* One thousand eight hundred and thirty-eight; and any Sum or Sums of Money not exceeding Eighteen thousand Pounds, to defray the Expence of the Civil Establishment at *Saint Helena* and of Pensions and Allowances to the Civil and Military Officers and Soldiers of the *East India Company's* late Establishments in that Island, to the Thirty-first Day of *March* One thousand eight hundred and thirty-eight; and any Sum or Sums of Money not exceeding Seven thousand four hundred Pounds, to defray the Expences of the Civil Government of *Nova Scotia* to the Thirty-first Day of *March* One thousand eight hundred and thirty-eight, and also for the Erection of Lighthouses there.

11,030*l.* 15*s.*
10*d.* for *Western Africa*;

14,140*l.* 18*s.* 6*d.*
for *British North American Provinces*;

5,309*l.* 5*s.*
for *Western Australia*;

19,500*l.* for
Lower and Upper Canada;

963*l.* 0*s.* 10*d.*
for *Heligoland*;

18,000*l.* for
St. Helena;

7,400*l.* for
Nova Scotia.

XV. And it is hereby also enacted, That out of all or any the Aids or Supplies aforesaid there shall and may be issued and applied any Sum or Sums of Money not exceeding Two Millions, to discharge the like Amount of Supplies granted for the Service of the Year One thousand eight hundred and thirty-six, or for any preceding Year; and any Sum or Sums of Money not exceeding One hundred and twenty thousand Pounds, to defray the Charge of Civil Contingencies, to the Thirty-first Day of *March* One thousand eight hundred and thirty-eight; and any Sum or Sums of Money not exceeding Seventy-two thousand and fifty-nine Pounds, to defray, to the Thirty-first Day of *March* One thousand eight hundred and thirty-eight, the Expence of Works and Repairs of Public Buildings, and for Furniture and other Charges for lighting and watching, and for Rates and Taxes, and for the Maintenance and Repair of Royal Palaces and Works in the Royal Gardens, heretofore charged upon the Civil List; and any Sum or Sums of Money not exceeding Seven thousand one hundred and twenty-eight Pounds, to defray the Expence of Works and Repairs at the Harbour of *Kingstown*, to the Thirty-first Day of *March* One thousand eight hundred and thirty-eight; and any Sum or Sums of Money not exceeding Six thousand six hundred and fifty Pounds, to defray the

There shall
be issued
2,000,000*l.* to
discharge Sup-
plies for 1836;

120,000*l.* for
Civil Contingencies;

72,059*l.* for
Repairs of
Public Build-
ings and Fur-
niture of Public
Offices;

7,128*l.* for
Kingstown
Harbour;

6,650*l.* for *Holy-
head Roads*, &c.

14,250*l.* for new
Buildings at the
British Museum;

7,600*l.* for
National Gal-
lery, &c. ;

11,595*l.* for pro-
viding tempo-
rary Houses of
Parliament ;

25,000*l.* for
converting
Buildings at
Albany into
a Prison ;

14,800*l.* for
building a Cust-
om House at
Glasgow ;

76,700*l.* for the
Officers of the
Houses of Lords
and Commons ;

49,000*l.* for
Salaries, &c. at
the Treasury ;

20,481*l.* for
Salaries, &c. in
the Home De-
partment ;

70,867*l.* for
Salaries, &c.
in the Foreign
Department ;

17,445*l.* for
Salaries, &c.
in the Colonial
Department ;

24,638*l.* for
Salaries, &c.
at the Privy
Council, &c. ;

42,100*l.* for
Office of the
Paymaster
General ;

the Expences of the *Holyhead* and *Liverpool* Roads, and *Holyhead* and *Howth* Harbours, to the Thirty-first Day of *March* One thousand eight hundred and thirty-eight ; and any Sum or Sums of Money not exceeding Fourteen thousand two hundred and fifty Pounds, to defray the Charge of new Buildings at the *British Museum*, to the Thirty-first Day of *March* One thousand eight hundred and thirty-eight ; and any Sum or Sums of Money not exceeding Seven thousand six hundred Pounds, to defray the probable Expence of enclosing the Ground in front of each of the Wings of the National Gallery and Royal Academy, and levelling, enclosing, and ornamenting the Area of *Trafalgar Square* ; and any Sum or Sums of Money not exceeding Eleven thousand five hundred and ninety-five Pounds, to defray the Expence of providing temporary Accommodation for the Houses of Parliament, Committee Rooms, Offices, and temporary official Residences for the Speaker of the House of Commons and other Officers of that House, to the Thirty-first Day of *March* One thousand eight hundred and thirty-eight ; and any Sum or Sums of Money not exceeding Twenty-five thousand Pounds, to defray the Expence of converting certain Buildings attached to *Albany Barracks*, *Isle of Wight*, into a Prison for the Reception of Juvenile Offenders ; and any Sum or Sums of Money not exceeding Fourteen thousand eight hundred Pounds, to defray, in the Year One thousand eight hundred and thirty-seven, the Expence of building a new Custom House at *Glasgow*, including the Purchase of Ground ; and any Sum or Sums of Money not exceeding Seventy-six thousand seven hundred Pounds, to defray the Charge of Salaries and Expences of the Two Houses of Parliament, and of Allowances to Retired Officers of the Two Houses, to the Thirty-first Day of *March* One thousand eight hundred and thirty-eight ; and any Sum or Sums of Money not exceeding Forty-nine thousand Pounds, to pay the Salaries, contingent and other Expences of the Department of Her Majesty's Treasury, to the Thirty-first Day of *March* One thousand eight hundred and thirty-eight ; and any Sum or Sums of Money not exceeding Twenty thousand four hundred and eighty-one Pounds, to pay the Salaries and Expences of the Office of Her Majesty's Secretary of State for the Home Department, to the Thirty-first Day of *March* One thousand eight hundred and thirty-eight ; and any Sum or Sums of Money not exceeding Seventy thousand eight hundred and sixty-seven Pounds, to pay the Salaries and other Expences in the Department of Her Majesty's Secretary of State for Foreign Affairs, also of the Foreign Messengers attached to that Department, to the Thirty-first Day of *March* One thousand eight hundred and thirty-eight ; and any Sum or Sums of Money not exceeding Seventeen thousand four hundred and forty-five Pounds, to pay the Salaries and other Expences in the Department of Her Majesty's Secretary of State for the Colonies, to the Thirty-first Day of *March* One thousand eight hundred and thirty-eight ; and any Sum or Sums of Money not exceeding Twenty-four thousand six hundred and thirty-eight Pounds, to pay the Salaries and Expences in the Department of Her Majesty's Most Honourable Privy Council and Committee of Privy Council for Trade, to the Thirty-first Day of *March* One thousand eight hundred and thirty-eight ; and any Sum or Sums of Money not exceeding Forty-two thousand one hundred Pounds, to defray the Charge of the Office of Her Majesty's Paymaster General, to the Thirty-first Day of *March* One thousand eight hundred and thirty-eight ; and

and any Sum or Sums of Money not exceeding Fourteen thousand three hundred Pounds, to pay the Salaries and contingent Expences in the Departments of the Comptroller General of the Exchequer and the Paymaster of Civil Services, to the Thirty-first Day of *March* One thousand eight hundred and thirty-eight; and any Sum or Sums of Money not exceeding Two thousand and six Pounds, to defray the Charge of the Salaries and Allowances granted to certain Professors in the Universities of *Oxford* and *Cambridge*, to the Thirty-first Day of *March* One thousand eight hundred and thirty-eight; and any Sum or Sums of Money not exceeding Twelve thousand five hundred Pounds, to defray the Charge of the Salaries of the Commissioners of the Insolvent Debtors Court, of their Clerks, and the contingent Expences of the Court and Office, and also the Expences attendant upon their Circuits, to the Thirty-first Day of *March* One thousand eight hundred and thirty-eight; and any Sum or Sums of Money not exceeding Thirteen thousand Pounds, to defray the Charge of the Penitentiary at *Milbank*, to the Thirty-first Day of *March* One thousand eight hundred and thirty-eight; and any Sum or Sums of Money not exceeding Three thousand nine hundred and eighty-five Pounds, to pay the Salaries and other Expences of the State Paper Office, the Office for the Custody of Records in the *Tower*, and the Office for the Custody of Records in the Chapter House, *Westminster*, to the Thirty-first Day of *March* One thousand eight hundred and thirty-eight; and any Sum or Sums of Money not exceeding Five thousand one hundred Pounds, to defray the Expences of the Commission for digesting the several Statutes relating to Criminal and other Law; and any Sum or Sums of Money not exceeding Eleven thousand eight hundred and twenty-five Pounds, to defray the Expences of the Commission for inquiring into Public Charities, to its Termination; and any Sum or Sums of Money not exceeding Six thousand three hundred and thirty-five Pounds, to defray the Expences of the Commission appointed to inquire into the Opportunities of Religious Worship and Means of Religious Instruction and the Pastoral Superintendence afforded to the People of *Scotland*; and any Sum or Sums of Money not exceeding Two thousand five hundred Pounds, to pay the Salaries and Expences incurred by the Ecclesiastical Commissioners for *England*, to the Thirty-first Day of *March* One thousand eight hundred and thirty-eight; and any Sum or Sums of Money not exceeding Fifty-two thousand one hundred and twenty-nine Pounds, to defray, in the Year One thousand eight hundred and thirty-seven, the Charge of Salaries and Expences of the Commissioners for the Amendment and better Administration of the Laws relating to the Poor in *England* and *Wales*; and any Sum or Sums of Money not exceeding Fourteen thousand seven hundred Pounds, to pay, to the Thirty-first Day of *March* One thousand eight hundred and thirty-eight, the Salaries and incidental Expences for the Commissions appointed on the Part of Her Majesty under the Treaties with Foreign Powers for preventing the illegal Traffic in Slaves; and any Sum or Sums of Money not exceeding One hundred thousand three hundred and eighty-nine Pounds, to pay the Salaries of Her Majesty's Consuls General, Consuls, and Vice Consuls, and of the Superintendents of Trade at *Canton*, also of the contingent Expences connected with the Public

14,300*l.* for Comptroller General of the Exchequer;

2,006*l.* for certain Professors at *Oxford* and *Cambridge*;

12,500*l.* for Insolvent Debtors Court;

13,000*l.* for the Penitentiary at *Milbank*;

3,985*l.* for Expences of State Paper Office, &c.;

5,100*l.* for Commission of Criminal Law;

11,825*l.* for Commission of Charities;

6,339*l.* for Commission of Religious Instruction in *Scotland*;

2,500*l.* for Ecclesiastical Commissioners;

52,129*l.* for Commissioners of Poor Laws;

14,700*l.* for Commissions for preventing the Slave Trade, &c.;

100,389*l.* for Salaries of Consuls, &c.;

- Duties of such Consuls General, Consuls, and Vice Consuls, and Superintendents of Trade; and any Sum or Sums of Money not exceeding Nine thousand nine hundred and fifty-three Pounds, to defray the Charge of the Salaries, &c. of the Inspectors and Superintendents of Factories, to the Thirty-first Day of *March* One thousand eight hundred and thirty-eight; and any Sum or Sums of Money not exceeding Five thousand eight hundred Pounds, to defray the Salaries and Expences of the Inspectors of Prisons, to the Thirty-first Day of *March* One thousand eight hundred and thirty-eight; and any Sum or Sums of Money not exceeding Fifty-one thousand eight hundred and forty Pounds, to defray the Expenditure for the several Branches of the Mint, to the Thirty-first Day of *March* One thousand eight hundred and thirty-eight; and any Sum or Sums of Money not exceeding Seventy-nine thousand three hundred and thirty-four Pounds, to defray the Charge of Allowances or Compensations to Persons formerly employed in the Public Offices or Departments, or in the Public Service, to the Thirty-first Day of *March* One thousand eight hundred and thirty-eight; and any Sum or Sums of Money not exceeding Ten thousand Pounds, to enable Her Majesty to grant Relief, to the Thirty-first Day of *March* One thousand eight hundred and thirty-eight, to *Toulonese* and *Corsican* Emigrants, *Dutch* Naval Officers, *Saint Domingo* Sufferers, *American* Loyalists, and others, who have heretofore received Allowances from Her Majesty, and who, for Services performed or Losses sustained in the *British* Service, have special Claims on Her Majesty's Justice and Liberality; and any Sum or Sums of Money not exceeding One thousand eight hundred and fifty Pounds, to defray the Expence of the National Vaccine Establishment, for the Year One thousand eight hundred and thirty-seven; and any Sum or Sums of Money not exceeding Three thousand Pounds, for the Support of the Institution called The Refuge for the Destitute, for the Year One thousand eight hundred and thirty-seven; and any Sum or Sums of Money not exceeding Three thousand and seventy-three Pounds, to defray the Expence of confining and maintaining Criminal Lunatics in the Buildings attached to *Bethlem* Hospital, to the Thirty-first Day of *March* One thousand eight hundred and thirty-eight; and any Sum or Sums of Money not exceeding Four thousand six hundred Pounds, to pay, to the Thirty-first Day of *March* One thousand eight hundred and thirty-eight, the usual Allowances to the Protestant Dissenting Ministers in *England*, poor *French* Refugee Clergy, poor *French* Refugee Laity, and sundry small charitable and other Allowances to the Poor of *Saint Martin's in the Fields* and others; and any Sum or Sums of Money not exceeding Thirty-five thousand nine hundred Pounds, to defray the Charge of Her Majesty's Foreign and other Secret Services, to the Thirty-first Day of *March* One thousand eight hundred and thirty-eight; and any Sum or Sums of Money not exceeding One hundred seventy-three thousand six hundred Pounds, to defray the Expence of providing Stationery, Printing, and Binding for the several Departments of Government and the Two Houses of Parliament, to the Thirty-first Day of *March* One thousand eight hundred and thirty-eight, including the Expence of the Establishment of the Stationery Office; and any Sum or Sums of Money not exceeding Eleven thousand Pounds, to defray the Expence of Law Charges,

Charges, to the Thirty-first Day of *March* One thousand eight hundred and thirty-eight; and any Sum or Sums of Money not exceeding Fifty-three thousand four hundred Pounds, to defray the Expence of the Convict Hulk Establishment at Home and at *Bermuda*, to the Thirty-first Day of *March* One thousand eight hundred and thirty-eight; and any Sum or Sums of Money not exceeding Two hundred forty-four thousand one hundred Pounds, to defray the Expence of maintaining Convicts at *New South Wales* and *Van Dieman's Land*, to the Thirty-first Day of *March* One thousand eight hundred and thirty-eight; and any Sum or Sums of Money not exceeding Twenty thousand Pounds, to defray the Expences for the Support of captured Negroes and liberated *Africans*, under the Acts for the Abolition of the Slave Trade, to the Thirty-first Day of *March* One thousand eight hundred and thirty-eight; and any Sum or Sums of Money not exceeding Two thousand five hundred Pounds, to pay the annual Compensation awarded to *Sir Abraham Bradley King*, late King's Stationer in *Ireland*, for Losses sustained by him by reason of the Revocation of his Patent; and any Sum or Sums of Money not exceeding Twenty thousand Pounds, to enable Her Majesty to issue Money for the Erection of School-houses, in aid of private Subscriptions for that Purpose, for the Education of the Children of the poorer Classes in *England*, to the Thirty-first Day of *March* One thousand eight hundred and thirty-eight; and any Sum or Sums of Money not exceeding Ten thousand Pounds, to enable Her Majesty to issue in the Year One thousand eight hundred and thirty-seven Money for the Erection of School-houses, in aid of private Subscriptions for that Purpose, for the Education of the Children of the poorer Classes and for the Erection of Model Schools in *Scotland*; and any Sum or Sums of Money not exceeding Twenty-four thousand Pounds, to pay the Allowances and Expences of the Barristers employed in revising Lists of Voters under the Act for amending the Representation of the People in *England* and *Wales*, to the Thirty-first Day of *March* One thousand eight hundred and thirty-eight; and any Sum or Sums of Money not exceeding Fourteen thousand four hundred and fifty Pounds, to defray, to the Thirty-first Day of *March* One thousand eight hundred and thirty-eight, the Expences incurred by Sheriffs, formerly paid from Civil Contingencies, also to make good the Deficiency of the Fees in the Office of the Queen's Remembrancer in the Exchequer, and to pay the Salaries and ancient Allowances of certain Officers of the Court of Exchequer; and any Sum or Sums of Money not exceeding Eighty thousand Pounds, to defray, in the Year One thousand eight hundred and thirty-seven, certain Charges heretofore paid out of the County Rates; and any Sum or Sums of Money not exceeding Ten thousand Pounds, to enable Her Majesty to grant Relief to the distressed *Poles* now in this Country; and any Sum or Sums of Money not exceeding One thousand Pounds, to defray a Part of the Charge of an Expedition for exploring the North-west Part of *New Holland*; and any Sum or Sums of Money not exceeding One thousand five hundred and seventy-five Pounds, to enable the Trustees of the *British Museum* to purchase the Collection of Shells belonging to *Mr. Broderip*; and any Sum or Sums of Money not exceeding Sixteen thousand eight hundred and sixty-seven Pounds, to defray the Charge of Salaries of the Governors, Lieutenant Governors, and others of Her Majesty's *West Indian Colonies*,

53,400*l.* for maintaining Convicts at Home and at *Bermuda*, &c.;

244,100*l.* for Convicts at *New South Wales*, &c.;

20,000*l.* for Support of captured Negroes;

2,500*l.* to *Sir A. B. King*;

20,000*l.* for Erection of School-houses in *England*;

10,000*l.* for Erection of Model Schools in *Scotland*;

24,000*l.* to Revising Barristers under 2 W. 4. c. 45.;

14,450*l.* for Expences of Sheriffs, and Salaries, &c. of Officers of the Court of Exchequer;

80,000*l.* for Charges hitherto paid out of County Rates;

10,000*l.* for distressed *Poles*;

1,000*l.* for exploring N. W. of *New Holland*;

1,575*l.* to purchase Shells for *British Museum*;

16,897*l.* for *West India Colonies*;

9,950*l.* for
Salaries of
Special Justices
in the Colonies;

30,000*l.* for
educating the
Negroes;

2,664*l.* 16*s.* 3*d.*
for Agents of
Emigration;

14,000*l.* for
repairing, &c.
the Rideau and
Ottawa Canals
in Canada;

29,400*l.* for the
British Museum;

59,300*l.* for
Law Expenses
&c. in Scot-
land.

200,000*l.* for
Pensions, &c.
heretofore paid
out of the Civil
List;

21,000*l.* for
repairing Marl-
borough House;

88,000*l.* for
rebuilding the
Houses of
Parliament;

18,172*l.* for
Commissioners
of Public
Records;

5,000*l.* for the
Royal College
of Surgeons in
Edinburgh;

9,030*l.* to pur-
chase Pictures
for the National
Gallery;

1,200*l.* to pur-
chase Vases for
British Museum;

17,910*l.* 8*s.* 1*d.*
for *British*
Subjects in
Upper Canada;

Colonies, to the Thirty-first Day of *March* One thousand eight hundred and thirty-eight; and any Sum or Sums of Money not exceeding Sixty-nine thousand nine hundred and fifty Pounds, to defray, to the Thirty-first Day of *March* One thousand eight hundred and thirty-eight, the Salaries and Allowances to Special Justices appointed in pursuance of the Act for the Abolition of Slavery throughout the *British Colonies*; and any Sum or Sums of Money not exceeding Thirty thousand Pounds, to defray, in the Year One thousand eight hundred and thirty-seven, such Expenses as Her Majesty may incur in aiding the local Legislatures in providing for the Religious and Moral Education of the emancipated Negro Population; and any Sum or Sums of Money not exceeding Two thousand six hundred and sixty-four Pounds Sixteen Shillings and Three-pence for Salaries of the Agents for Emigration, to the Thirty-first Day of *March* One thousand eight hundred and thirty-eight; and any Sum or Sums of Money not exceeding Fourteen thousand Pounds, to defray, in the Year One thousand eight hundred and thirty-seven, the Charge of the Repair and Maintenance of the *Rideau* and *Ottawa Canals* in *Canada*; and any Sum or Sums of Money not exceeding Twenty-nine thousand four hundred Pounds, to defray the estimated Expenditure of the *British Museum*, for the Year ending at *Lady Day* One thousand eight hundred and thirty-eight; and any Sum or Sums of Money not exceeding Fifty-nine thousand three hundred Pounds, to defray, to the Thirty-first Day of *March* One thousand eight hundred and thirty-eight, Law Charges, Grants to *Scottish Universities*, and other Charges formerly paid out of the Hereditary Revenues, and not provided for out of His late Majesty's Civil List nor out of the Consolidated Fund; and any Sum or Sums of Money not exceeding Two hundred thousand Pounds, towards satisfying such Charges, Pensions, and Annuities as would have been payable out of the Civil List in case the Demise of His late Majesty had not taken place before the Thirty-first Day of *December* One thousand eight hundred and thirty-seven; and any Sum or Sums of Money not exceeding Twenty-one thousand Pounds, to defray the Charge of repairing *Marlborough House*, for the Reception of the Queen Dowager; and any Sum or Sums of Money not exceeding Eighty-eight thousand Pounds, towards defraying the Expence of erecting the new Houses of Parliament in the Year One thousand eight hundred and thirty-seven; and any Sum or Sums of Money not exceeding Eighteen thousand one hundred and seventy-two Pounds, to carry on, to the Thirty-first Day of *March* One thousand eight hundred and thirty-eight, the Works in progress under the Direction of the Commissioners of Public Records, also to pay certain Arrears not provided for by the Grant of last Session; and any Sum or Sums of Money not exceeding Five thousand Pounds, in aid of the Funds of the Royal College of Surgeons in *Edinburgh*; and any Sum or Sums of Money not exceeding Nine thousand and thirty Pounds, to purchase, in the Year One thousand eight hundred and thirty-seven, Pictures for the National Gallery; and any Sum or Sums of Money not exceeding One thousand two hundred Pounds, to enable the Trustees of the *British Museum* to purchase certain *Etruscan* Vases, Part of the Collection of the Prince of *Canino*; and any Sum or Sums of Money not exceeding Seventeen thousand nine hundred and ten Pounds Eight Shillings and One Penny, to pay Compensations to *British*

British Subjects in Upper Canada, for Losses sustained by them during the War in One thousand eight hundred and thirteen and One thousand eight hundred and fourteen, in addition to the Amount already provided from the Funds of the Colony and other Sources; and any Sum or Sums of Money not exceeding One hundred forty-two thousand one hundred and sixty Pounds Fourteen Shillings and Sixpence, for Advances on account of Arrears of Charges for the Administration of Justice, and of the Civil Government, of the Province of Lower Canada; and any Sum or Sums of Money not exceeding Thirty-seven thousand five hundred Pounds, towards defraying the Expence of Steam Communication to India by way of the Red Sea, for Three Quarters of a Year, to the Thirty-first Day of March One thousand eight hundred and thirty-eight; and any Sum or Sums of Money not exceeding Two hundred twenty-three thousand nine hundred and twelve Pounds Ten Shillings and Eleven-pence, to make good Deficiencies of Grants of former Years.

142,160*l.* 14*s.*
6*d.* for Administration of Justice, &c. in Lower Canada;

37,500*l.* for Steam Communication to India;

223,912*l.* 10*s.* 11*d.* to make good Grants of former Years.

XVI. And it is hereby also enacted, That out of all or any the Aids or Supplies aforesaid there shall and may be issued and applied any Sum or Sums of Money not exceeding Fifty thousand Pounds, to enable the Lord Lieutenant of *Ireland* to issue Money for the Advancement of Education in *Ireland*, to the Thirty-first Day of *March* One thousand eight hundred and thirty-eight; and any Sum or Sums of Money not exceeding Thirteen thousand four hundred Pounds, to defray the Expence of the Foundling Hospital in *Dublin*, to the Thirty-first Day of *March* One thousand eight hundred and thirty-eight; and any Sum or Sums of Money not exceeding Twenty thousand Pounds, to defray the Expence of the House of Industry in *Dublin*, the Lunatic Department, and the Four General Hospitals attached, to the Thirty-first Day of *March* One thousand eight hundred and thirty-eight; and any Sum or Sums of Money not exceeding One hundred and fifty Pounds, to defray the Charge of the *Hibernian* Marine Society in *Dublin*, to the Thirty-first Day of *March* One thousand eight hundred and thirty-eight; and any Sum or Sums of Money not exceeding One thousand Pounds, to defray the Expence of the Female Orphan House, *Circular Road, Dublin*, to the Thirty-first Day of *March* One thousand eight hundred and thirty-eight; and any Sum or Sums of Money not exceeding Two thousand five hundred Pounds, to defray the Expence of the *Westmorland* Lock Hospital, to the Thirty-first Day of *March* One thousand eight hundred and thirty-eight; and any Sum or Sums of Money not exceeding One thousand Pounds, to defray the Expence of the Lying-in Hospital in *Dublin*, to the Thirty-first Day of *March* One thousand eight hundred and thirty-eight; and any Sum or Sums of Money not exceeding One thousand five hundred Pounds, to defray the Expence of Doctor *Stevens'* Hospital in *Dublin*, to the Thirty-first Day of *March* One thousand eight hundred and thirty-eight; and any Sum or Sums of Money not exceeding Three thousand eight hundred Pounds, to defray the Expence of the Fever Hospital and House of Recovery, *Cork Street, Dublin*, to the Thirty-first Day of *March* One thousand eight hundred and thirty-eight; and any Sum or Sums of Money not exceeding Five hundred Pounds, to defray the Expence of the Hospital for Incurables, to the Thirty-first

There shall be applied 50,000*l.* for the Advancement of Education in *Ireland*;

13,400*l.* for Foundling Hospital, *Dublin*;

20,000*l.* for the House of Industry, &c;

150*l.* for the *Hibernian* Marine Society;

1,000*l.* for Female Orphan House;

2,500*l.* for the *Westmorland* Lock Hospital;

1,000*l.* for Lying-in Hospital;

1,500*l.* for Dr. *Stevens'* Hospital;

3,800*l.* for the Fever Hospital, &c.;

500*l.* Hospital for Incurables;

8,928*l.* for
Roman Catholic
College in
Ireland;

300*l.* for the
Royal Irish
Academy;

300*l.* for the
Royal Hiber-
nian Academy;

1,800*l.* for
Royal Belfast
Institution;

5,300*l.* Royal
Dublin Society;

There shall
be applied
700*l.* for Board
of Charitable
Bequests;

19,761*l.* for
the Commis-
sioners of Pub-
lic Works;

22,302*l.* for
Secretaries to
Lord Lieute-
nant, &c. of
Ireland;

12,394*l.* for
Salaries, &c.
heretofore paid
out of the Civil
List;

6,300*l.* for
Paymaster of
Civil Services
in *Ireland*;

4,157*l.* for
printing Pro-
clamations and
Statutes;

27,343*l.* for
Dissenting
Ministers;

Day of *March* One thousand eight hundred and thirty-eight; and any Sum or Sums of Money not exceeding Eight thousand nine hundred and twenty-eight Pounds, to defray the Charge of the Roman Catholic College in *Ireland*, to the Thirty-first Day of *March* One thousand eight hundred and thirty-eight; and any Sum or Sums of Money not exceeding Three hundred Pounds, to defray the Expence of the Royal Irish Academy, to the Thirty-first Day of *March* One thousand eight hundred and thirty-eight; and any Sum or Sums of Money not exceeding Three hundred Pounds, to defray the Expence of the Royal Hibernian Academy, to the Thirty-first Day of *March* One thousand eight hundred and thirty-eight; and any Sum or Sums of Money not exceeding One thousand eight hundred Pounds, to defray the Expence of the Royal Belfast Academical Institution, to the Thirty-first Day of *March* One thousand eight hundred and thirty-eight; and any Sum or Sums of Money not exceeding Five thousand three hundred Pounds in aid of the Expenditure of the Royal *Dublin* Society, to the Thirty-first Day of *March* One thousand eight hundred and thirty-eight.

XVII. And it is hereby also enacted, That out of all or any the Aids or Supplies aforesaid there shall and may be issued and applied any Sum or Sums of Money not exceeding Seven hundred Pounds to defray the Salaries and Expences of the Commissioners of Charitable Donations and Bequests in *Ireland*, to the Thirty-first Day of *March* One thousand eight hundred and thirty-eight; and any Sum or Sums of Money not exceeding Nineteen thousand six hundred and seventy-six Pounds, to defray the Expence of repairing and maintaining the several Public Buildings in the Department of the Commissioners of Public Works in *Ireland*, to the Thirty-first Day of *March* One thousand eight hundred and thirty-eight; and any Sum or Sums of Money not exceeding Twenty-two thousand three hundred and two Pounds, to defray the Salaries and Expences of the Offices of the Chief Secretary to the Lord Lieutenant of *Ireland* in *Dublin*, and *London*, and Her Majesty's Privy Council Office in *Ireland*, and of Printing for the Public Offices in *Ireland*, to the Thirty-first Day of *March* One thousand eight hundred and thirty-eight; and any Sum or Sums of Money not exceeding Twelve thousand three hundred and ninety-four Pounds, to defray the Charge of the Salaries of the Officers and Attendants of the Household of the Lord Lieutenant of *Ireland*, and certain other Officers and Services formerly charged on the Civil List in *Ireland*, to the Thirty-first Day of *March* One thousand eight hundred and thirty-eight; and any Sum or Sums of Money not exceeding Six thousand three hundred Pounds, to defray the Charge of the Establishment of the Office of Paymaster of Civil Services in *Ireland*, to the Thirty-first Day of *March* One thousand eight hundred and thirty-eight; and any Sum or Sums of Money not exceeding Four thousand one hundred and fifty-seven Pounds, to defray the Expence of publishing Proclamations and printing the Statutes in *Ireland*, to the Thirty-first Day of *March* One thousand eight hundred and thirty-eight; and any Sum or Sums of Money not exceeding Twenty-seven thousand three hundred and forty-three Pounds, to defray the Expence of Non-conforming, Seceding, and Protestant Dissenting Ministers in *Ireland*, to the Thirty-first Day

of *March* One thousand eight hundred and thirty-eight; and any Sum or Sums of Money not exceeding Sixty thousand nine hundred Pounds, to defray the Charge of Criminal Prosecutions and other Law Charges in *Ireland*, to the Thirty-first Day of *March* One thousand eight hundred and thirty-eight; and any Sum or Sums of Money not exceeding Twenty-seven thousand Pounds, in aid of the Funds for the Maintenance of the Police Establishment of *Dublin*, to the Thirty-first Day of *March* One thousand eight hundred and thirty-eight; and any Sum or Sums of Money not exceeding Three thousand five hundred and ninety-one Pounds, to defray the Expence of Public Works in *Ireland*, to the Thirty-first Day of *March* One thousand eight hundred and thirty-eight; and any Sum or Sums of Money not exceeding Seven thousand Pounds, to defray the Expence of the Townland Survey of *Ireland*, to the Thirty-first Day of *March* One thousand eight hundred and thirty-eight; and any Sum or Sums of Money not exceeding Five thousand Pounds, to defray the Expence of the Commission appointed to report upon the best System of Railways in *Ireland*.

60,900*l.* for Criminal Prosecutions;

27,000*l.* for the Police of *Dublin*;

3,591*l.* for Public Works;

7,000*l.* for Townland Survey of *Ireland*;

5,000*l.* for Commission on Railways in *Ireland*.

XVIII. And it is hereby also enacted, That the said Aids and Supplies provided as aforesaid shall not be issued or applied to any Use, Intent, or Purpose whatsoever other than the Uses, Intents, and Purposes before mentioned, or for the other Payments directed to be satisfied thereout by any Act or Acts, or any particular Clause or Clauses for that Purpose contained in any other Act or Acts of this Session of Parliament.

Supplies to be applied only for the Purposes aforesaid.

XIX. And as to the Sum of Five hundred and forty-nine thousand Pounds by this Act appropriated on account of Half Pay as aforesaid, it is hereby enacted and declared, That the Rules hereafter prescribed shall be duly observed in the Application of the said Half Pay; (that is to say,) that no Person shall have or receive any Part of the same without making and subscribing a Declaration to such Purport and Effect as shall be required in that Behalf by Her Majesty's Warrants directing the Issue of the Half Pay to be received; that no Person shall have or receive any Part of the same who was under the Age of Sixteen Years at the Time when the Regiment, Troop, or Company in which he served was reduced; that no Person shall have or receive any Part of the same who did not do actual Service in some Regiment, Battalion, Troop, or Company in Her Majesty's Service, except in Cases in which the Commission was received under Circumstances which did not, according to the Regulations of the Army, require the Officer to serve; that no Person shall have or receive any Part of the same who has resigned his Commission, and has had no Commission since; that no Part of the same shall be allowed to any Person by virtue of any Warrant or Appointment, except to such Person as would have been otherwise entitled thereto as a Reduced Officer; that no Person shall have or receive any Part of the same for any Time during which he shall hold any other Military Place or Employment of Profit under Her Majesty, or in Her Majesty's Colonies or Possessions beyond the Seas, except on the Staff or in Garrison, and that in such excepted Cases, or in Cases of his holding any Military Place or Employment of Profit under another Government,

Rules to be observed in the Application of the Sum appropriated to Half Pay.

Government, no Officer shall receive any Part of his Half Pay unless with Her Majesty's Approbation, to be signified by the Secretary at War to the Paymaster General, and the Officer claiming the Half Pay in pursuance of such Approbation shall specify in his Declaration the other Military Place or Employment of Profit on the Staff or in Garrison which he may hold or have held under Her Majesty, or in the Colonies or Possessions of Her Majesty beyond the Seas, or under any other Government; that no Person who shall, on before the Twenty-eighth Day of *July* One thousand eight hundred and twenty-eight, have held any Civil Place or Employment of Profit under Her Majesty, or in the Colonies or Possessions of Her Majesty beyond the Seas, or under any other Government, shall have or receive any Part of the same for any Time during which he shall hold any such Civil Place or Employment of Profit under Her Majesty, or in the Colonies or Possessions of Her Majesty beyond the Seas, or under any other Government, except in Cases in which the same shall not exceed Three Times the Amount of the highest Rate of Half Pay attached to the Rank in virtue of which he claims to receive Half Pay, or as herein-after mentioned, nor in any such excepted Cases unless Her Majesty's special Approbation be signified as aforesaid, and the Officer claiming the Half Pay in pursuance of such Approbation shall signify in his Declaration the Civil Place or Employment of Profit which he may hold or have held as aforesaid; but if the net annual Emoluments of such Civil Place or Employment shall exceed Three Times the Amount of Half Pay as aforesaid, and shall fall short of Four Times that Amount, then it shall be lawful for the Paymaster General, with Her Majesty's Approbation, signified by the Secretary at War as aforesaid, to issue, on or after the Twenty-fourth Day of *December* One thousand eight hundred and thirty-seven, so much of the Half Pay claimed by any such Officer as shall, together with the net annual Emoluments of the Civil Place or Employment, be equal to Four Times the Amount of such Half Pay, and the Officer claiming the Half Pay in pursuance of such Approbation shall specify in his Declaration the Civil Place or Employment of Profit which he may have held as aforesaid, and the actual Amount of the Emoluments thereof, in such Manner and Form, and calculated up to such Period or Periods, as shall be required by the Secretary at War; but no Person who after the Twenty-eighth Day of *July* One thousand eight hundred and twenty-eight has been appointed to any Civil Place or Employment of Profit (except in Her Majesty's Household) under Her Majesty, or in the Colonies or Possessions of Her Majesty beyond the Seas, or under any other Government, shall have or receive any Part of the same for any Time during which he shall hold any such Civil Place or Employment of Profit (except as aforesaid) under Her Majesty beyond the Seas, or under any other Government, other than that of a Barrack Master under the Master General and Board of Ordnance, who shall, under the Restrictions before mentioned, be entitled to receive his Half Pay: Provided always, that nothing in this Act contained shall prevent any Person from receiving his Half Pay who shall be entitled to the same under any Act or Acts relating to the General or Local Militia, or the Yeomanry or Volunteers, but that every such Person shall receive the same according to the Provisions

Not to prevent the receiving of Half Pay under any Act relating to the General or Local Militia, &c.

of

of any such Act or Acts; and also every Surgeon, Serjeant Major, Serjeant, Corporal, and Private, serving in the General or Local Militia, or in any Corps of Yeomanry or Volunteers in *Great Britain* or *Ireland*, may and shall receive any Half Pay, together with any Pay in the General or Local Militia, or Yeomanry or Volunteers, upon making and subscribing a Declaration in any Case in which an Oath or a Declaration shall be required in and by any Act or Acts, or specified in any Warrant of Her Majesty, as the Case may be, and stating in such Declaration the Commission or Employment which he held in the General or Local Militia, the Yeomanry or Volunteers: Provided always, that from and after the First Day of *January* One thousand eight hundred and thirty-eight it shall be lawful for the Paymaster General to issue the Half Pay or any Portion thereof to any Officer appointed to Civil Office or Employment under Her Majesty, or under any other Government since the Twenty-eighth Day of *July* One thousand eight hundred and twenty-eight, if Her Majesty's Pleasure to that Effect be signified by the Commissioners of Her Majesty's Treasury, or any Three or more of them, through the Secretary at War, but such Permission to be granted under the Restrictions before mentioned: Provided always, that an Account shall be laid before Parliament in every Year on or before the First Day of *April*, if Parliament shall be then sitting, or if Parliament shall not then be sitting on the First Day of Parliament sitting after the First Day of *April*, of the Number of Officers who are allowed to receive their Half Pay with Civil Employments, specifying the Names of such Officers, with the respective Amount of their Half Pay and the Emoluments of their respective Civil Employments, and distinguishing in every such Account the Officers to whom such Half Pay shall have been allowed subsequent to preceding Accounts.

Paymaster General, by Permission of the Treasury, may issue Half Pay to Officers appointed to Civil Offices since July 1828,

An Account of the Number of Officers so receiving Half Pay to be laid before Parliament.

XX. Provided always, and be it enacted, That it shall be lawful for the Commissioners of Her Majesty's Treasury, or any Three or more of them, for the Time being, to authorize the receiving Half Pay by Military Officers with Civil Employments in any Cases in which the said Commissioners shall be of opinion that the Employment of such Military Officers in the Colonies or elsewhere, in Civil Situations, of Responsibility, with small Emoluments, will be conducive to Economy, and thereby beneficial to the Public Service; and in every such Case the Officer so authorized to receive Half Pay with the Salary or Emoluments of any Civil Employment shall signify the same in his Declaration, specifying the Office, and the Authority under which he is so allowed to receive his Half Pay.

Treasury may authorize Military Officers in Civil Employments to receive Half Pay in certain Cases.

XXI. And whereas a considerable Part of the Money appropriated on account of Half Pay by an Act passed in the Sixth and Seventh Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to apply the Sum of Four Millions out of the Consolidated Fund to the Service of the Year One thousand eight hundred and thirty-six, and to appropriate the Supplies granted in this Session of Parliament*, has been issued without requiring, by Persons issuing or paying, and without the taking by the Persons receiving Half Pay, the Oaths or Declarations prescribed to be taken by Officers claiming

6 & 7 W. 4. c. 98.

Persons concerned in issuing, paying, and receiving Money for the Payment of Half Pay, without the Oaths having been taken as required, indemnified.

Half Pay; and Part of the said Monies has been paid to Officers claiming and entitled to Half Pay who at the same Time held and may still hold the Situation of and serve respectively as Surgeons, Serjeant Majors, Serjeants, Corporals, or Privates, in the General or Local Militia, or Yeomanry or Volunteer Corps, in *Great Britain* or *Ireland*; and it is expedient that all such Persons should be indemnified: Be it therefore enacted, That all Persons concerned in the advising, authorizing, or directing the issuing, or in the issuing of any Half Pay, or any Monies for Half Pay, or in the Application of any Money appropriated by the said Act for that Purpose, or in receiving, or being concerned in the receiving any Portion of the Money so appropriated for such Half Pay, without requiring or taking the said Oaths or Declarations, or to or on account of any such Officers or Persons as aforesaid, shall be and are hereby fully indemnified, and shall be and are hereby fully exonerated and discharged from all Penalties, Forfeitures, Prosecutions, or Proceedings, in respect of any thing done in relation thereto, in all Cases in which such Half Pay, or Payment for or in respect of Half Pay, shall have been or may hereafter be issued or received in conformity with the Provisions of the said recited Act or this Act, and the Usages heretofore established and observed in relation to the issuing, paying, and receiving of Half Pay in all other respects, except so far as relates to the demanding, requiring, or taking the said Oaths or Declarations; and all such Payments and Issues of Half Pay which shall have been or may be issued to any such Person as aforesaid shall be deemed valid and effectual Payments, and the Paymaster General, and all other Persons concerned in the issuing and paying the same, shall be and are hereby fully discharged and exonerated in respect thereof in all Accounts relating to such Issues and Payments; any thing contained in any Act or Acts, or any Law, Rules, or Regulations, relating to the issuing and paying of Half Pay, to the contrary notwithstanding.

Half Pay allowed to the Officers of the *Manx* Fencibles.

XXII. And whereas the Officers of the Royal Regiment of *Manx* Fencibles engaged to serve in the said Corps upon a Stipulation contained in the Letter of Service under which they were raised, that they should be allowed to receive any Half Pay to which they might be entitled, notwithstanding their holding Subaltern Commissions in the said Corps; but no Provision has been made by Parliament for Payment of such Half Pay; and it is therefore expedient that Provision should be now made for the Payment of the Arrears of Half Pay to such Officers as aforesaid: Be it therefore enacted, That Officers who were entitled to Half Pay, and who accepted or held Subaltern Commissions in the Royal Regiment of *Manx* Fencibles, shall, notwithstanding their having held the Full Pay of such Commissions, be entitled to receive the Arrears of such Half Pay for any Year or Time in which they shall not have been allowed to receive the same, upon making and subscribing a Declaration before any Person hereby authorized to administer a Declaration to Persons for the Purpose of receiving Half Pay, that they had not, in any Year or Time for which such Arrear is claimed, any Office or Employment of Profit, Civil or Military, under Her Majesty, besides their Allowance of Half Pay, save and except their Pay as such Subaltern Officers of the Royal Regiment of *Manx* Fencibles; and the making and sub-

scribing the said Declaration shall, without making and subscribing any other Declaration, be sufficient to entitle such Officer to receive his Half Pay.

XXIII. And whereas Chaplains of Regiments who have been placed upon Half Pay have not been allowed to receive such Half Pay in some Years, in consequence of being in possession at the Time of certain Ecclesiastical Benefices or Preferments, though the same were not in the Patronage of the Crown: And whereas it has been judged fair and reasonable that they should be allowed to receive such Half Pay, though in possession of Ecclesiastical Preferment, provided the same was private Patronage, and not derived from the Crown; and that they should also be entitled to receive the Arrears of Half Pay for such former Years as aforesaid: Be it therefore enacted, That all Chaplains who, after having been placed upon Half Pay, shall have been refused or have been unable to receive such Half Pay in any Year, in consequence of holding any Ecclesiastical Benefice not derived from or in the Gift of the Crown, shall be entitled to receive the Arrears of such Half Pay for such Year, upon making and subscribing a Declaration before the proper Officer for administering Declarations to Persons for entitling them to receive Half Pay, that they held no Ecclesiastical Benefice or Preferment in any Year derived from the Crown, nor any Place or Employment of Profit under Her Majesty; and the making and subscribing the said Declaration shall, without making and subscribing any other Declaration, be sufficient to entitle such Chaplain to receive his Half Pay.

Half Pay Allowances to Chaplains of Regiments not being in possession of Ecclesiastical Benefices derived from the Crown.

XXIV. And whereas by the said recited Act passed in the Sixth and Seventh Years of the Reign of His said late Majesty the several Supplies which had been granted to His said late Majesty as therein mentioned were appropriated to the several Uses and Purposes therein expressed, amongst which any Sum or Sums of Money not exceeding Five hundred and sixty-six thousand Pounds in the whole was appropriated to be paid on account of Half Pay for the Year One thousand eight hundred and thirty-six, subject nevertheless to such Rules to be observed in the Application of the said Half Pay as in and by the aforesaid Act were prescribed in that Behalf: Now it is hereby provided, enacted, and declared, That so much of the said Sum of Five hundred and sixty-six thousand Pounds as is or shall be more than sufficient to satisfy the said Reduced Officers, according to the Rules to be observed in the Application thereof, or any Part of such Overplus, shall and may be disposed of to such Officers who are maimed or have lost their Limbs in the late War, or such others as, by reason of their long Service, or otherwise, Her Majesty shall judge to be proper Objects of Charity, or to the Widows or Children of such Officers, according to such Warrant or Warrants, under Her Majesty's Royal Sign Manual, as shall be signed in that Behalf; any thing in this Act or the said Act to the contrary notwithstanding.

By 6 & 7 W. 4. c. 98. a Sum was appropriated to be paid to Half Pay Officers, the Surplus of which is hereby authorized to be disposed of as Her Majesty shall direct.

XXV. And as to the Sum of One hundred forty-eight thousand seven hundred and twenty-eight Pounds by this Act appropriated for defraying the Charge of Pensions to be paid to the Widows of Officers of Her Majesty's Land Forces as aforesaid, and as to the Sum of One hundred

Widows and Persons claiming Pensions shall make the required Declaration.

hundred forty-six thousand five hundred Pounds by this Act appropriated for defraying the Charge of Allowances on the Compassionate, of Allowances as of Her Majesty's Royal Bounty, and of Pensions to Officers for Wounds, as aforesaid; it is hereby enacted and declared, That no Widow of an Officer of the Land Forces, and no Person claiming an Allowance on the Compassionate List, or of Allowances as of Her Majesty's Royal Bounty, shall have or receive any Part of the same without making and subscribing a Declaration to such Purport and Effect as shall be required in that Behalf by Her Majesty's Warrant directing the Issue of such Pensions and Allowances so to be received.

• Declarations
to be made as
specified in
5 & 6 W. 4. c. 62.

XXVI. And be it enacted, That every such Declaration shall and may be made and subscribed before any One or more of Her Majesty's Justices of the Peace, or before the resident Minister of the Established Church in any Parish in *England, Scotland, or Ireland*, or before any of the Persons appointed to examine Vouchers in the Office of the Paymaster General, in the Manner, and under the Pains, Penalties, and Forfeitures specified in an Act passed in the Fifth and Sixth Year of the Reign of His said late Majesty for the Abolition of unnecessary Oaths.

LONDON: Printed by GEORGE EYRE and ANDREW SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1837. •



ANNO PRIMO

VICTORIÆ REGINÆ.

C A P. LXXX.

An Act to exempt certain Bills of Exchange and Promissory Notes from the Operation of the Laws relating to Usury. [17th July 1837.]

WHEREAS by an Act passed in the Fourth Year of the Reign of His Majesty King *William* the Fourth, intituled *An Act for giving to the Corporation of the Governor and Company of the Bank of England certain Privileges for a limited Period under certain Conditions*, Bills of Exchange and Promissory Notes made payable at or within Three Months after the Date thereof, or not having more than Three Months to run, and certain Transactions in respect of such Bills, were exempted from the Operations of the Statutes relating to Usury; and it is desirable to extend such Exemptions: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act, and till the First of *January* One thousand eight hundred and forty, no Bill of Exchange or Promissory Note made payable at or within Twelve Months after the Date thereof, or not having more than Twelve Months to run, shall by reason of any Interest taken thereon or secured thereby, or any Agreement to pay or receive or allow Interest in discounting, negotiating, or transferring the same, be void, nor shall the Liability of any Party to any Bill of Exchange

4 W. 4. c. 98.
Bills of Exchange payable at or within Twelve Months not to be liable to the Laws for the Prevention of Usury.

8 A

Exchange or Promissory Note be affected, by reason of any Statute or Law in force for the Prevention of Usury; nor shall any Person or Persons or Body Corporate drawing, accepting, indorsing, or signing any such Bill or Note, or lending or advancing any Money, or taking more than the present Rate of legal Interest in *Great Britain* and *Ireland* respectively for the Loan of Money, on any such Bill or Note, be subject to any Penalties under any Statute or Law relating to Usury, or any other Penalty or Forfeiture; any thing in any Law or Statute relating to Usury, or any other Law whatsoever in force in any Part of the United Kingdom, to the contrary notwithstanding.

LONDON: Printed by GEORGE EYRE and ANDREW SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1837.



ANNO PRIMO

VICTORIÆ REGINÆ.

C A P. LXXXI.

An Act to provide for the levying of Rates, in
Boroughs and Towns having Municipal Corpora-
tions in *England* and *Wales*. [17th July 1837.]

WHEREAS by an Act passed in the Sixth Year of the Reign
of His late Majesty, intituled *An Act to provide for the* 6 W. 4. c. 76.
Regulation of Municipal Corporations in England and
Wales, Authority was given to the Council of any Borough in certain
Cases to levy a Borough Rate, and in certain other Cases to levy a
Watch Rate, and the same Powers and Authorities were thereby given
to them for that Purpose as by Law are given to Justices of the Peace
at Sessions with respect to a County Rate: And whereas no Autho-
rity is thereby given to the Churchwardens or Overseers of the
Poor of any Parish or Place, or other Persons, who may thereby
be legally ordered to pay or levy such Rate, to pay the same out of
the Poor Rate of such respective Parishes or Places, or otherwise to
levy the same upon the Inhabitants thereof: Be it therefore enacted
by the Queen's most Excellent Majesty, by and with the Advice and
Consent of the Lords Spiritual and Temporal, and Commons, in this
present Parliament assembled, and by the Authority of the same,
That in all Cases where by the said Act or by this Act a Borough
Rate or Watch Rate may be made and levied in any Borough, the
Payment of
Watch Rate.

8 B

the Council of such Borough may order the Churchwardens and Overseers of every Parish or Place within which such Rate may be levied, or such other Persons as by Law may make a Poor Rate for any such Parish or Place within the Limits of such Borough, to pay the Amount of such Part and Portion of such Rate for which such Parish or Place respectively shall be liable out of the Poor Rate made and collected or to be made or collected for such Parish or Place; or the said Council, instead of ordering such Churchwardens and Overseers or other Persons to pay the same out of the Poor Rate, may order them to make and collect a certain Pound Rate upon and from the Occupiers or Possessors of all rateable Property within which such Parish or Place, for the Amount of the Rate for which such Parish or Place may be liable as aforesaid; and if such Churchwardens, Overseers, and other Persons, upon being so ordered to pay such Rate out of the Poor Rate, or to make and collect a Pound Rate as aforesaid, shall refuse or neglect to do so, the Amount thereof may be made and levied off the Goods of them or any of them by Distress by virtue of a Warrant in that Behalf under the Hand and Seal of the Mayor of such Borough or of any Two Justices of the Peace in and for the same; or if any Person liable to pay such Pound Rate shall neglect or refuse to pay the same, the Amount thereof may be levied upon his Goods by Distress in like Manner.

Council of
• Borough em-
powered to
levy a Rate
for carrying
former Act
into execu-
tion.

II. And be it enacted, That it shall be lawful for the Council of any such Borough, at any Time within Six Calendar Months next after the passing of this Act, to make and levy a Borough Rate for the Purpose of defraying any Expences incurred before the passing of this Act in putting in execution the Provisions of the said Act for regulating Corporations; and every such Rate shall be made, levied, and recovered in the Manner provided by the said Act for regulating Corporations and by this Act.

Regulating
the Collec-
tion of
Borough and
County
Rates in
divided
Places.

III. Provided always, and be it enacted, That in every Case in which any Parish or Place liable to support its own Poor shall be partly within and partly without any such Borough, and in the Case of every Extra-parochial Place wholly or partly within any such Borough, the Council of the Borough shall appoint One or more proper Person or Persons to act as Overseer or Overseers within that Part of such Parish or any such Place which is within the Borough, for making, levying, and collecting any such Borough Rate or Watch Rate therein; and in every such Case of a divided Parish or Place, if the Borough is not liable to the County Rate, the Justices of the Peace having Jurisdiction over that Part of such Parish or Place which is not within the Borough shall appoint One or more proper Person or Persons to act as Overseer or Overseers within that Part of such Parish or Place which is not within the Borough, for making, levying, and collecting the County Rate therein; and the Person or Persons so respectively to be appointed shall have the like Powers vested in him or them, and shall be subject to the same Regulations and Penalties, for levying and collecting any such Borough Rate, Watch Rate, or County Rate within that Part of such Parish or Place

Place for which he or they is or are appointed, as if he or they was or were appointed Overseer or Overseers of the Poor under any Law or Laws now or hereafter to be in force.

LONDON: Printed by GEORGE EYRE and ANDREW SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1837.



ANNO PRIMO

VICTORIÆ REGINÆ.

C A P. LXXXII.

An Act to amend the Law relating to Grand Juries in *Ireland*, so far as to empower the Grand Jury of the County of *Fermanagh* to reconstruct the Baronial Subdivisions of the said County.

[17th July 1837.]

WHEREAS by an Act passed in the Sixth and Seventh Year of His late Majesty, intituled *An Act to consolidate and amend the Laws relating to the Presentment of Public Money by Grand Juries in Ireland*, a Power was given to the Grand Jury of any County in *Ireland* to divide any Barony or Half Barony into One or more Subdivisions for the Purpose of that Act, provided such Barony or Half Barony did contain Forty-five thousand Acres, and to unite any Two Baronies or Portions of Baronies, provided the Baronies or Portions so united did not contain more than Forty thousand Acres: And whereas, by reason of the County of *Fermanagh* being divided in its entire Length by the Waters of *Lough Erne*, the Baronies are divided and intersected by the said Lough, to the great Inconvenience of the Inhabitants as regards the Applotment, Levy, and Expenditure of the Public Money, and the holding of Special Sessions under the above-named Act; and it is therefore expedient that the Grand Jury of said County of *Fermanagh* be empowered to alter the Baronial Divisions thereof: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the

8 C Lords

6 & 7 W. 4.
c. 116.

Power to
re-construct
Baronial
Subdivisions.

Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall and may be lawful for the Grand Jury of the County of *Fermanagh*, by Presentment, to divide any Barony or Half Barony thereof into One or more Subdivisions, each whereof shall, for all Purposes relating to the presenting, raising, and levying of Money for any Matter or Thing for which Presentment may be lawfully made by Grand Juries, be deemed and taken to be a Barony or Half Barony, as such Grand Jury shall present the same; and it shall be lawful for the Grand Jury of the County of *Fermanagh* to unite any Two Baronies, or any Barony or any Portion of any Barony or Baronies, into One, for the Purposes of this Act, and for all Purposes relating to the presenting, raising, and levying of Money for any Matter or Thing for which Presentment may be lawfully made by Grand Juries in *Ireland*.

Power to fix
the Time
when the said
Subdivisions
shall take
effect.

6 & 7 W. 4.
c. 84.

II. And be it further enacted, That the Grand Jury of the County of *Fermanagh* shall have Power and Authority to fix the Time from and after which the said Division into Baronies or Half Baronies shall take effect, and are hereby required to nominate Committees of Appeal for such intended Baronies or Half Baronies, pursuant to the Act passed in the Sixth and Seventh Year of King *William* the Fourth, intituled *An Act to consolidate and amend the several Acts for the uniform Valuation of Lands and Tenements in Ireland, and to incorporate certain detached Portions of Counties and Baronies with those Counties and Baronies respectively whereto the same may adjoin or wherein the same are locally situate*, as if the same were actually Baronies or Half Baronies at the Time of making the said Presentments.

Act may be
amended.

III. And be it further enacted, That this Act may be amended, altered, or repealed by any Act or Acts to be passed in this present Session of Parliament.

LONDON: Printed by GEORGE EYRE and ANDREW SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1837.



ANNO .PRIMO

VICTORIÆ REGINÆ.

C A P. LXXXIII.

An Act to compel Clerks of the Peace for Counties and other Persons to take the Custody of such Documents as shall be directed to be deposited with them under the Standing Orders of either House of Parliament. [17th July 1837.]

WHEREAS the Houses of Parliament are in the habit of requiring that, previous to the Introduction of any Bill into Parliament for making certain Bridges, Turnpike Roads, Cuts, Canals, Reservoirs, Aqueducts, Waterworks, Navigations, Tunnels, Archways, Railways, Piers, Ports, Harbours, Ferries, Docks, and other Works, to be made under the Authority of Parliament, certain Maps or Plans and Sections, and Books and Writings, or Extracts or Copies of or from certain Maps, Plans, or Sections, Books and Writings, shall be deposited in the Office of the Clerk of the Peace for every County, Riding, or Division in *England* or *Ireland*, or in the Office of the Sheriff Clerk of every County in *Scotland*, in which such Work is proposed to be made, and also with the Parish Clerk of every Parish in *England*, the Schoolmaster of every Parish of *Scotland*, or in Royal Burghs with the Town Clerk, and the Postmaster of the Post Town in or nearest to every Parish in *Ireland*, in which such Work is intended to be made, and with other Persons: And whereas it is expedient that such Maps, Plans, Sections, Books, Writings, and Copies or Extracts of and from the same,

Clerks of the Peace, &c. to receive the Documents herein mentioned, and retain them for the Purposes directed by the Standing Orders of the Houses of Parliament.

same, should be received by the said Clerks of the Peace, Sheriff Clerks, Parish Clerks, Schoolmasters, Town Clerks, Postmasters, and other Persons, and should remain in their Custody for the Purposes herein-after mentioned: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That whenever either of the Houses of Parliament shall by its Standing Orders, already made or hereafter to be made, require that any such Maps, Plans, Sections, Books, or Writings, or Extracts or Copies of the same, or any of them, shall be deposited as aforesaid, such Maps, Plans, Sections, Books, Writings, Copies, and Extracts shall be received by and shall remain with the Clerks of the Peace, Sheriff Clerks, Parish Clerks, Schoolmasters, Town Clerks, Postmasters, and other Persons with whom the same shall be directed by such Standing Orders to be deposited, and they are hereby respectively directed to receive and to retain the Custody of all such Documents and Writings so directed to be deposited with them respectively, in the Manner, and for the Purposes, and under the Rules and Regulations concerning the same respectively directed by such Standing Orders, and shall make such Memorials and Endorsements on and give such Acknowledgments and Receipts in respect of the same respectively as shall be thereby directed.

Clerks of the Peace, &c. to permit such Documents to be inspected or copied by Persons interested.

II. And be it further enacted, That all Persons interested shall have Liberty to, and the said Clerks of the Peace, Sheriff Clerks, Parish Clerks, Schoolmasters, Town Clerks, and Postmasters, and every of them, are and is hereby required, at all reasonable Hours of the Day, to permit all Persons interested to inspect during a reasonable Time and make Extracts from or Copies of the said Maps, Plans, Sections, Books, Writings, Extracts and Copies of or from the same, so deposited with them respectively, on Payment by each Person to the Clerk of the Peace, Sheriff Clerk, Clerk of the Parish, Schoolmaster, Town Clerk, or Postmaster having the Custody of any such Map, Plan, Section, Book, Writing, Extract, or Copy, One Shilling for every such Inspection, and the further Sum of One Shilling for every Hour during which such Inspection shall continue after the first Hour, and after the Rate of Sixpence for every One hundred Words copied therefrom.

Clerks of the Peace, &c. for every Omission to comply with the Provisions of this Act, liable to the Penalty of 5*l*. to be recovered in a summary Way.

III. And be it further enacted, That in case any Clerk of the Peace, Sheriff Clerk, Parish Clerk, Schoolmaster, Town Clerk, Postmaster, or other Person shall in any Matter or Thing refuse or neglect to comply with any of the Provisions herein-before contained, every Clerk of the Peace, Sheriff Clerk, Parish Clerk, Schoolmaster, Town Clerk, Postmaster, or other Person shall for every such Offence forfeit and pay any Sum not exceeding the Sum of Five Pounds; and every such Penalty shall, upon Proof of the Offence before any Justice of the Peace for the County within which such Offence shall be committed, or by the Confession of the Party offending, or by the Oath of any credible Witness, be levied and recovered, together with the Costs of the Proceedings for the Recovery thereof, by Distress and Sale of the Goods and Effects of the Party offending, by Warrant under

under the Hand of such Justice, which Warrant such Justice is hereby empowered to grant, and shall be paid to the Person or Persons making such Complaint ; and it shall be lawful for any such Justice of the Peace to whom any Complaint shall be made of any Offence committed against this Act to summon the Party complained of before him, and on such Summons to hear and determine the Matter of such Complaint in a summary Way, and on Proof of the Offence to convict the Offender, and to adjudge him to pay the Penalty or Forfeiture incurred, and to proceed to recover the same, although no Information in Writing or in Print shall have been exhibited or taken by or before such Justice ; and all such Proceedings by Summons without Information shall be as good, valid, and effectual to all Intents and Purposes as if an Information in Writing had been exhibited.

LONDON : Printed by GEORGE EYRE and ANDREW SPOTTISWOODE,
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ANNO PRIMO

VICTORIÆ REGINÆ.

C A P. LXXXIV.

An Act to abolish the Punishment of Death in Cases
of Forgery. [17th July 1837.]

WHEREAS by an Act passed in the First Year of His late Majesty's Reign, intituled *An Act for reducing into One* 1 W. 4. c. 66.
Act all such Forgeries as shall henceforth be punished with Death, and for otherwise amending the Laws relative to Forgery,
it was amongst other things enacted, that if any Person should forge or alter, or should offer, utter, dispose of, or put off, knowing the same to be forged or altered, any Will, Testament, Codicil, or Testamentary Writing, with Intent in any of the Cases aforesaid to defraud any Person whatsoever, every such Offender should be guilty of Felony, and being convicted thereof should suffer Death as a Felon; and it was by the said Act further enacted, that if any Person should forge or alter, or should utter knowing the same to be forged or altered, any Power of Attorney or other Authority to transfer any Share or Interest of or in any Stock, Annuity, or other Public Fund which then was or thereafter might be transferrable at the Bank of *England* or at the *South Sea House*, or of or in the Capital Stock of any Body Corporate, Company, or Society which then was or thereafter might be established by Charter or Act of Parliament, or to receive any Dividend payable in respect of any such Share or Interest, with Intent in any of the several Cases aforesaid to defraud any Person whatsoever, every such Offender should be guilty of Felony, and being convicted thereof should suffer Death as a Felon; and it was
by

2 & 3 W. 4.
c. 59.

by the said Act further enacted, that in the Case of every Felony punishable under that Act every Principal in the Second Degree, and every Accessary before the Fact, should be punishable with Death or otherwise in the same Manner as the Principal in the First Degree was by that Act punishable: And whereas by an Act passed in the Second and Third Years of His late Majesty's Reign, intituled *An Act to transfer the Management of certain Annuities on Lives from the Receipt of His Majesty's Exchequer to the Management of the Commissioners for the Reduction of the National Debt, and to amend an Act for enabling the said Commissioners to grant Life Annuities, and Annuities for Terms of Years*, it was amongst other things enacted, that if any Person should forge, counterfeit, or alter, or should cause or procure to be forged, counterfeited, or altered, or should knowingly or wilfully act or assist in the forging, counterfeiting, or altering, any Declaration, Warrant, Order, or other Instrument, or any Affidavit or Affirmation required to be made by that Act, or by the Commissioners for the Reduction of the National Debt, under any of the Provisions of that Act, or under any Authority given to them for that Purpose; or should forge, counterfeit, or alter, or should cause or procure to be forged, counterfeited, or altered, or should knowingly or wilfully act or assist in the forging, counterfeiting, or altering, any Certificate or Order of any Officer of the Commissioners for the Reduction of the National Debt, or the Name or Names of any Person or Persons in or to any Transfer of any Annuity, or in or to any Certificate, Order, Warrant, or other Instrument for the Payment of Money for the Purchase of any Annuity under the Provisions of that Act, or in or to any Transfer or Acceptance of any such Annuity in the Books of the Commissioners for the Reduction of the National Debt, or in or to any Receipt or Discharge for any such Annuity, or in or to any Receipt or Discharge for any Payment or Payments due or to become due thereon, or in or to any Letter of Attorney or other Authority or Instrument to authorize or purporting to authorize the Transfer or Acceptance of any Annuities or any Life Annuity of whatsoever Kind, or authorizing or purporting to authorize the Receipt of any Life Annuity of whatsoever Kind, granted under any of the Acts therein recited or that Act, or any Payment or Payments due or to become due thereon; or if any Person should wilfully, falsely, and deceitfully personate any true and real Nominee or Nominees, or should wilfully utter, or deliver or produce to any Person or Persons acting under the Authority of that Act, any forged Register or Copy of Register of any Birth, Baptism, or Marriage, or any forged Declaration, Affidavit, or Affirmation, knowing the same to be forged, counterfeited, or altered, with Intent to defraud His Majesty, His Heirs and Successors, or with Intent to defraud any Person or Persons whomsoever; then and in every such Case all and every Person or Persons so offending, and being lawfully convicted thereof, should be adjudged guilty of Felony, and suffer Death: And whereas by another Act passed in the said last-mentioned Years of His late Majesty's Reign, intituled *An Act for abolishing the Punishment of Death in certain Cases of Forgery*, it was amongst other things enacted, that notwithstanding any thing therein-before contained that Act should not be construed to affect or alter the said recited Act of the First Year of His late Majesty, or

2 & 3 W. 4.
c. 123.

any

any other Act or Law then in force, so far as the same might authorize the Punishment of Death to be inflicted upon any Person convicted either in *England, Scotland, or Ireland* of forging or altering, or of offering, uttering, or disposing of, knowing the same to be forged or altered, any Will, Testament, Codicil, or Testamentary Writing, with Intent to defraud any Body Corporate or Person whatsoever, or of forging or altering, or of uttering knowing the same to be forged or altered, any Power of Attorney or other Authority to transfer any Share or Interest, of or in any Stock, Annuity, or other Public Fund which then was or thereafter might be transferrable at the Bank of *England* or *South Sea House*, or at the Bank of *Ireland*, or to receive any Dividend payable in respect of any such Share or Interest, with Intent to defraud any Body Corporate or Person whatsoever, or of procuring, aiding, or assisting in the Commission of any of the said Offences, but that the Punishment for each and every of the said Offences, and for the procuring, aiding, or assisting in the Commission thereof, should continue to be the same as if the Act now in recital had not been passed: And whereas by another Act passed in the said Second and Third Years of His late Majesty's Reign, intituled *An Act for enabling His Majesty to direct the Issue of Exchequer Bills to a limited Amount for the Purposes and in the Manner therein mentioned, and for giving Relief to* Trinidad, British Guiana, and Saint Lucie, it was amongst other things enacted, that if any Person or Persons should forge, counterfeit, or alter, or cause or procure to be forged, counterfeited, or altered, or knowingly or wilfully act or assist in the forging, counterfeiting, or altering, any Certificate or Certificates of the Commissioners by the said Act now in recital appointed as therein mentioned, or any of them, or any Receipt or Receipts to be given by the Cashier or Cashiers of the Governor and Company of the Bank of *England* in pursuance of that Act, or should wilfully deliver to the Auditor of the Receipt of His Majesty's Exchequer for the Time being, or to any Officer appointed by him, or to the said Commissioners by that Act appointed, or any of them, or to any Officer or Officers appointed by them or any of them, in the Execution of the Powers of that Act, or should utter, any such forged, counterfeited, or altered Certificate or Certificates, Receipt or Receipts, knowing the same to be forged, counterfeited, or altered, with Intent to defraud His Majesty, His Heirs or Successors, or any Body or Bodies Politic or Corporate, or any Person whomsoever, then and in every such Case all and every Person or Persons so offending, and being thereof lawfully convicted, should be adjudged guilty of Felony, and should suffer Death as in Cases of Felony: And whereas by an Act passed in the Fifth and Sixth Years of the Reign of His late Majesty, intituled *An Act to carry into further Execution the Provisions of an Act passed in the Third and Fourth Years of His present Majesty, for compensating Owners of Slaves upon the Abolition of Slavery*, it was amongst other things enacted, that if any Person or Persons should forge or counterfeit, or cause or procure to be forged or counterfeited, or should willingly act or assist in the forging or counterfeiting, any Receipt or Receipts for the Whole of or any Part or Parts of the Contributions towards the Sum of Fifteen Millions, in the said Act now in recital mentioned to be Part of a Sum of Twenty Millions authorized

2 & 3 W. 4.
c. 125.

5 & 6 W. 4.
c. 45.

5 & 6 W. 4.
c. 51.

Persons con-
victed of
any of the
Offences
herein-
before men-
tioned to be
liable to be
transported.

So much of
2 & 3 W. 4.
c. 123.

rized to be raised by the said Act of the Third and Fourth Years of His late Majesty's Reign, either with or without the Name or Names of any Person or Persons being inserted therein as the Contributor or Contributors thereto, Payer or Payers thereof, or of any Part or Parts thereof, or any Certificate or other Instrument to be issued by the Commissioners for the Reduction of the National Debt, or should alter any Number, Figure, or Word therein, or utter or publish as true any such false, forged, counterfeited, or altered Receipt or Receipts, Certificate or Certificates, Instrument or Instruments, with Intent to defraud the Governor and Company of the Bank of *England*, or the Commissioners for the Reduction of the National Debt, or any Body Politic or Corporate, or any Person or Persons whatsoever, every such Person or Persons so forging or counterfeiting, or causing or procuring to be forged or counterfeited, or willingly acting or assisting in the forging or counterfeiting, or altering, uttering, or publishing as aforesaid, being thereof convicted in due Form of Law, should be adjudged guilty of Felony, and should suffer Death as a Felon, without Benefit of Clergy: And whereas by another Act passed in the said Fifth and Sixth Years of His late Majesty's Reign, intituled *An Act for granting Relief to the Island of Dominica, and to amend an Act of the Second and Third Years of His present Majesty, for enabling His Majesty to direct the Issue of Exchequer Bills to a limited Amount for the Purposes therein mentioned*, it was amongst other things enacted, that all and every the several Clauses, Powers, Provisions, Enactments, Penalties, and Restrictions in the said herein-before recited and lastly herein-before mentioned Act of the Second and Third Years of His late Majesty contained, so far as the same could be made applicable and were not varied by the said Act now in recital, should be taken to extend to that Act, and to every thing to be done in pursuance of that Act, and as if all such Clauses, Powers, Provisions, and Enactments were therein repeated and made applicable to the said Island of *Dominica*, and to the Loans and Grants to be made in pursuance of the said Act now in recital, and to every Matter and Thing to be done in pursuance of that Act: And whereas the said lastly herein-before mentioned Act of the Second and Third Years of His late Majesty (so far as the same is herein-before recited) is applicable to and in nowise varied by the said lastly herein-before recited Act: And whereas it is expedient that none of the herein-before mentioned Offences should henceforth be punishable with Death: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That if any Person shall after the Commencement of this Act be convicted of any of the Offences herein-before mentioned, such Person shall not suffer Death, or have Sentence of Death awarded against him or her for the same, but shall be liable, at the Discretion of the Court, to be transported beyond the Seas for Life, or for any Term not less than Seven Years, or to be imprisoned for any Term not exceeding Four Years nor less than Two Years.

II. And whereas by the said recited Act of the Second and Third Years of His late Majesty's Reign, for abolishing the Punishment of Death in certain Cases of Forgery, Persons convicted of the Forgeries and

and other Offences connected therewith therein respectively referred to are liable to be transported beyond the Seas for Life: And whereas by an Act passed in the Third and Fourth Years of the same Reign, intituled *An Act for the Management of the Customs*, it was amongst other things enacted, that if any Person or Persons should knowingly and wilfully forge or counterfeit, or cause or procure to be forged or counterfeited, or knowingly and wilfully act or assist in forging or counterfeiting, the Name or Handwriting of any Receiver General of the Customs, or of any Comptroller General of the Customs, or of any Person acting for them respectively as aforesaid, to any Draft, Instrument, or Writing whatsoever, for or in order to the receiving or obtaining any of the Money in the Hands or Custody of the Governor and Company of the Bank of *England*, on account of the Receiver General of the Customs; or should forge or counterfeit, or cause or procure to be forged or counterfeited, or knowingly and wilfully act or assist in the forging or counterfeiting, any Draft, Instrument, or Writing in Form of a Draft made by such Receiver General or Person as aforesaid, or should utter or publish any such, knowing the same to be forged or counterfeited, with an Intention to defraud any Person whomsoever; every such Person or Persons so offending, being thereof lawfully convicted, should be and was and were thereby declared and adjudged to be guilty of Felony, and should be transported beyond the Seas for Life: And whereas by an Act passed in the Fourth Year of the same Reign, intituled *An Act to repeal so much of Two Acts of the Seventh and Eighth Years and Ninth Year of King George the Fourth as inflicts the Punishment of Death upon Persons breaking, entering, and stealing in a Dwelling House; also for giving Power to the Judges to add to the Punishment of Transportation for Life in certain Cases of Forgery, and in certain other Cases, Persons punishable by Transportation for Life under the said recited Act of the Second and Third Years of His late Majesty's Reign, for abolishing the Punishment of Death in certain Cases of Forgery*, are liable, previously to their being transported, in case the Court before whom such Persons shall be convicted shall think fit, to be imprisoned, with or without hard Labour, in the Common Gaol or House of Correction, or to be confined in the Penitentiary, for any Term not exceeding Four Years nor less than One Year: And whereas it is expedient to repeal the said Three lastly herein-before in part recited Acts, so far as relates to the Punishment of Persons liable to be transported for Life, in order that a more discretionary Punishment may be substituted for the same; be it therefore enacted, That so much of the said Three lastly herein-before in part recited Acts as relates to the Punishment of Persons convicted of Offences for which they are liable under the said Act of the Second and Third Years or the said Act of the Third and Fourth Years respectively of His late Majesty's Reign to be transported for Life shall, from and after the Commencement of this Act, be and the same is hereby repealed; and that from and after the passing of this Act every Person convicted of any of such Offences shall be liable, at the Discretion of the Court, to be transported beyond the Seas for the Term of the natural Life of such Person, or for any Term not less than Seven Years, or to be imprisoned for any Term not exceeding Four Years nor less than Two Years.

3 & 4 W. 4.
c. 51. s. 27.
and
3 & 4 W. 4.
c. 44., as re-
lates to the
Punishment
of certain
Offences, re-
pealed; and
such Of-
fences to be
punished by
Transporta-
tion for Life
or for Years.

Persons
convicted
of Offences
punishable
by Imprison-
ment may be
kept to hard
Labour and
to solitary
Confinement.

III. And be it enacted, That when any Person shall be convicted of any Offence punishable under this Act for which Imprisonment may be awarded it shall be lawful for the Court to sentence the Offender to be imprisoned, with or without hard Labour, in the Common Gaol or House of Correction, and also to direct that the Offender shall be kept in solitary Confinement for any Portion or Portions of such Imprisonment, not exceeding One Month at any one Time, and not exceeding Three Months in any one Year, as to the Court in its Discretion shall seem meet.

Not to affect
Powers of
5 & 6 W. 4.
c. 58. and
4 G. 4. c. 64.

IV. And be it further enacted, That nothing in this Act contained shall be construed to extend to the Alteration or Repeal of any of the Powers, Provisions, or Regulations contained in an Act made and passed in the Fifth and Sixth Years of the Reign of His late Majesty King William the Fourth, intituled *An Act for effecting greater Uniformity of Practice in the Government of the several Prisons in England and Wales, and for appointing Inspectors of Prisons in Great Britain*, or in an Act made and passed in the Fourth Year of His Majesty King George the Fourth, intituled *An Act for consolidating and amending the Laws relating to the building, repairing, and regulating of certain Gaols and Houses of Correction in England and Wales*.

Commence-
ment of Act.

V. And be it further enacted, That this Act shall commence and take effect on the First Day of October One thousand eight hundred and thirty-seven.

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ANNO. PRIMO

VICTORIÆ REGINÆ.

C A P. LXXXV.

An Act to amend the Laws relating to Offences
against the Person. [17th July 1837.]

WHEREAS it is expedient to amend so much of an Act passed in the Ninth Year of the Reign of King George the Fourth, intituled *An Act for consolidating and amending the Statutes in England relative to Offences against the Person*, and also so much of an Act passed in the Tenth Year of the same Reign, intituled *An Act for consolidating and amending the Statutes in Ireland relating to Offences against the Person*, as relates to any Person who shall unlawfully and maliciously administer or attempt to administer to any Person, or who shall cause to be taken by any Person, any Poison or other destructive Thing, or who shall unlawfully and maliciously attempt to drown, suffocate, or strangle any Person, or who shall counsel, aid, or abet therein; and so much of the same Acts on either of them as relates to any Person who shall unlawfully and maliciously shoot at any Person, or who shall, by drawing a Trigger or in any other Manner, attempt to discharge any Kind of loaded Arms at any Person, or who shall unlawfully and maliciously stab, cut, or wound any Person, or who shall unlawfully and maliciously throw or cast at or upon or otherwise apply to any Person any corrosive or noxious Liquid or Substance, with any of the Intents in the same Acts mentioned, or who shall counsel, aid, or abet therein; and so much of the same Acts as relates to any Person who shall use any of the Ways or Means therein mentioned with Intent to procure the Miscarriage of any Woman, or who shall counsel, aid, or abet therein; and so much of the same Acts as relates

9 G. 4. c. 31.
10 G. 4. c. 34.

8 G

Repeal of
certain Pro-
visions of
recited Acts.

relates to the Punishment of Accessories after the Fact to such of the Felonies punishable under those Acts as are herein-before referred to: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That so much of the said Acts as is herein-before referred to shall continue in force until and throughout the Thirtieth Day of *September* One thousand eight hundred and thirty-seven, and shall from and after that Day be repealed, except as to Offences committed before or upon the said Thirtieth Day of *September*, which shall be dealt with and punished as if this Act had not been passed.

Punishment
for admin-
istering
Poison or
doing other
bodily Injury
with Intent
to commit
Murder.

II. And be it enacted, That whosoever shall administer to or cause to be taken by any Person any Poison or other destructive Thing, or shall stab, cut, or wound any Person, or shall by any Means whatsoever cause to any Person any bodily Injury dangerous to Life, with Intent in any of the Cases aforesaid to commit Murder, shall be guilty of Felony, and being convicted thereof shall suffer Death.

Punishment
for Offences
with Intent
to commit
Murder
though no
bodily Injury
effected.

III. And be it enacted, That whosoever shall attempt to administer to any Person any Poison or other destructive Thing, or shall shoot at any Person, or shall, by drawing a Trigger or in any other Manner, attempt to discharge any Kind of loaded Arms at any Person, or shall attempt to drown, suffocate, or strangle any Person, with Intent in any of the Cases aforesaid to commit the Crime of Murder, shall, although no bodily Injury shall be effected, be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be transported beyond the Seas for the Term of his or her natural Life, or for any Term not less than Fifteen Years, or to be imprisoned for any Term not exceeding Three Years:

Punishment
for cutting
and maiming
with Intent
to disfigure.

IV. And be it enacted, That whosoever unlawfully and maliciously shall shoot at any Person, or shall, by drawing a Trigger or in any other Manner, attempt to discharge any Kind of loaded Arms at any Person, or shall stab, cut, or wound any Person, with Intent in any of the Cases aforesaid to maim, disfigure, or disable such Person, or to do some other grievous bodily Harm to such Person, or with Intent to resist or prevent the lawful Apprehension or Detainer of any Person, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be transported beyond the Seas for the Term of his or her natural Life, or for any Term not less than Fifteen Years, or to be imprisoned for any Term not exceeding Three Years.

Punishment
for sending
explosive
Substances
or throwing
destructive
Matter with
Intent to do
bodily Harm.

V. And be it enacted, That whosoever shall unlawfully and maliciously send or deliver to or cause to be taken or received by any Person any explosive Substance, or any other dangerous or noxious Thing, or shall cast or throw upon or otherwise apply to any Person any corrosive Fluid or other destructive Matter, with Intent in any of the Cases aforesaid to burn, maim, disfigure, or disable any Person, or to do some other grievous bodily Harm to any Person,

and whereby in any of the Cases aforesaid any Person shall be burnt, maimed, disfigured, or disabled, or receive some other grievous bodily Harm, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be transported beyond the Seas for the Term of his or her natural Life, or for any Term not less than Fifteen Years, or to be imprisoned for any Term not exceeding Three Years.

VI. And be it enacted, That whosoever, with Intent to procure the Miscarriage of any Woman, shall unlawfully administer to her or cause to be taken by her any Poison or other noxious Thing, or shall unlawfully use any Instrument or other Means whatsoever with the like Intent, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be transported beyond the Seas for the Term of his or her natural Life, or for any Term not less than Fifteen Years, or to be imprisoned for any Term not exceeding Three Years.

Punishment
for trying to
procure
Abortion.

VII. And be it enacted, That in the Case of every Felony punishable under this Act every Principal in the Second Degree, and every Accessary before the Fact, shall be punishable with Death or otherwise in the same Manner as the Principal in the First Degree is by this Act punishable; and every Accessary after the Fact to any Felony punishable under this Act shall, on Conviction, be liable to be imprisoned for any Term not exceeding Two Years.

Punishment
of Accessaries.

VIII. And be it enacted, That where any Person shall be convicted of any Offence punishable under this Act for which Imprisonment may be awarded it shall be lawful for the Court to sentence the Offender to be imprisoned, or to be imprisoned and kept to hard Labour, in the Common Gaol or House of Correction, and also to direct that the Offender shall be kept in solitary Confinement for any Portion or Portions of such Imprisonment, or of such Imprisonment with hard Labour, not exceeding One Month at any one Time, and not exceeding Three Months in any one Year, as to the Court in its Discretion shall seem meet.

Offences
punishable
by Imprisonment.

IX. And be it further enacted, That nothing in this Act contained shall be construed to extend to the Alteration or Repeal of any of the Powers, Provisions, or Regulations contained in an Act made and passed in the Fifth and Sixth Years of the Reign of His late Majesty King William the Fourth, intituled *An Act for effecting greater Uniformity of Practice in the Government of the several Prisons in England and Wales, and for appointing Inspectors of Prisons in Great Britain*, or in an Act made and passed in the Fourth Year of His Majesty King George the Fourth, intituled *An Act for consolidating and amending the Laws relating to the building, repairing, and regulating of certain Gaols and Houses of Correction in England and Wales*.

Not to affect
Powers of
5 & 6 W. 4.
c. 38. and
4 G. 4. c. 64.

X. And be it enacted, That where any Felony punishable under this Act shall be committed within the Jurisdiction of the Admiralty of England or of Ireland, the same shall be dealt with, inquired of, tried,

Offences
committed
within the
Jurisdiction

of the Admi-
ralty.

tried, and determined in the same Manner as any other Felony committed within that Jurisdiction.

Court em-
powered to
imprison
for Three
Years in
certain
Cases.

XI. And be it enacted, That on the Trial of any Person for any of the Offences herein-before mentioned, or for any Felony whatever, where the Crime charged shall include an Assault against the Person, it shall be lawful for the Jury to acquit of the Felony, and to find a Verdict of Guilty of Assault against the Person indicted, if the Evidence shall warrant such Finding; and when such Verdict shall be found, the Court shall have Power to imprison the Person so found guilty of an Assault for any Term not exceeding Three Years.

Not to ex-
tend to
Scotland.

XII. Provided always, and be it enacted, That nothing in this Act contained shall extend to *Scotland*.

Commence-
ment of Act.

XIII. And be it enacted, That this Act shall commence and take effect on the First Day of *October* One thousand eight hundred and thirty-seven.

LONDON: Printed by GEORGE EYRE and ANDREW SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1837.



ANNO PRIMO

VICTORIÆ REGINÆ.

C A P. LXXXVI.

An Act to amend the Laws relating to Burglary
and Stealing in a Dwelling House.

[17th July 1837.]

WHEREAS it is expedient to amend so much of an Act passed in the Seventh and Eighth Years of the Reign of King George the Fourth, intituled *An Act for consolidating and amending the Laws in England relative to Larceny and other Offences connected therewith*, and also so much of an Act passed in the Ninth Year of the same Reign, intituled *An Act for consolidating and amending the Laws in Ireland relative to Larceny and other Offences connected therewith*, as relates to the Punishment of any Person convicted of Burglary, and so much of the same Acts as relates to any Person who shall steal any Chattel, Money, or valuable Security, to any Value whatever, in any Dwelling House, any Person therein being put in fear, and so much of the same Acts as relates to the Punishment of Principals in the Second Degree, and of Accessories before and after the Fact respectively to such of the Felonies punishable under those Acts as are herein-before referred to: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That so much of the said Acts as is herein-before referred to shall continue in force until and throughout the Thirtieth Day of September One thousand eight hundred and thirty-seven, and shall from and after that Day be repealed, except

7&8G.4.c.29.

9 G. 4. c. 55.

Revised Acts
in part re-
pealed after
30th Sept.
1837, except

as to Offences committed before or upon the said Thirtieth Day of September, which shall be dealt with and punished as if this Act had not been passed.

Burglars
using Violence to suffer
Death.

II. And be it enacted, That whosoever shall burglariously break and enter into any Dwelling House, and shall assault with Intent to murder any Person being therein, or shall stab, cut, wound, beat, or strike any such Person, shall be guilty of Felony, and being convicted thereof shall suffer Death.

Punishment
of Burglary.

III. And be it enacted, That whosoever shall be convicted of the Crime of Burglary shall be liable, at the Discretion of the Court, to be transported beyond the Seas for the Term of the natural Life of such Offender, or for any Term not less than Ten Years, or to be imprisoned for any Term not exceeding Three Years.

Between
what Hours
the breaking
into a House
is to be con-
sidered as
Burglary.

IV. Provided always, and be it enacted, That, so far as the same is essential to the Offence of Burglary, the Night shall be considered and is hereby declared to commence at Nine of the Clock in the Evening of each Day, and to conclude at Six of the Clock in the Morning of the next succeeding Day.

Stealing in a
Dwelling
House with
Menace or
Threat.

V. And be it enacted, That whosoever shall steal any Property in any Dwelling House, and shall by any Menace or Threat put any one being therein in bodily Fear, shall be guilty of Felony, and being convicted thereof shall be liable to be transported beyond the Seas for any Term not exceeding Fifteen Years, nor less than Ten Years, or to be imprisoned for any Term not exceeding Three Years.

Punishment
of Accessaries.

VI. And be it enacted, That in the Case of every Felony punishable under this Act every Principal in the Second Degree and every Accessary before the Fact shall be punishable with Death or otherwise in the same Manner as the Principal in the First Degree is by this Act punishable; and every Accessary after the Fact to any Felony punishable under this Act (except only a Receiver of stolen Property) shall, on Conviction, be liable to be imprisoned for any Term not exceeding Two Years.

Offences
punishable
by Imprison-
ment.

VII. And be it enacted, That where any Person shall be convicted of any Offence punishable under this Act for which Imprisonment may be awarded, it shall be lawful for the Court to sentence the Offender to be imprisoned or to be imprisoned and kept to hard Labour in the Common Gaol or House of Correction, and also to direct that the Offender shall be kept in solitary Confinement for any Portion or Portions of such Imprisonment, or of such Imprisonment with hard Labour, not exceeding One Month at any one Time, and not exceeding Three Months in any one Year, as to the Court in its Discretion shall seem meet.

Not to affect
Powers of
5 & 6 W. 4.
c. 38. and
4 G. 4. c. 1.

VIII. And be it further enacted, That nothing in this Act contained shall be construed to extend to the Alteration or Repeal of any of the Powers, Provisions, or Regulations contained in an Act made

and passed in the Fifth and Sixth Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act for effecting greater Uniformity of Practice in the Government of the several Prisons in England and Wales, and for appointing Inspectors of Prisons in Great Britain*, or in an Act made and passed in the Fourth Year of His Majesty King *George* the Fourth, intituled *An Act for consolidating and amending the Laws relating to the building, repairing, and regulating of certain Gaols and Houses of Correction in England and Wales*.

IX. And be it enacted, That the Word “Property” shall throughout this Act be deemed to denote every Thing included under the Words “Chattel, Money, or valuable Security” used in the said Acts of the Seventh and Eighth Years and Ninth Year respectively of King *George* the Fourth. Construction of the Word “Property.”

X. And be it enacted, That where any Felony punishable under this Act shall be committed within the Jurisdiction of the Admiralty of *England* or of *Ireland*, the same shall be dealt with, inquired of, tried, and determined in the same Manner as any other Felony committed within that Jurisdiction. Offences committed within Jurisdiction of Admiralty.

XI. Provided always, and be it enacted, That nothing in this Act contained shall extend to *Scotland*. Not to extend to Scotland.

XII. And be it enacted, That this Act shall commence and take effect on the First Day of *October* One thousand eight hundred and thirty-seven. Commencement of Act.

LONDON: Printed by GEORGE EYRE and ANDREW SPOTTISWOODE,
Printers to the Queen’s most Excellent Majesty. 1837.

Repeal of
Provision in
recited Acts.

principals in the Second Degree and of Accessories before and after the Fact respectively to such of the Felonies punishable under those Acts as are herein-before referred to: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That so much of the said Acts as is herein-before referred to shall continue in force until and throughout the Thirtieth Day of *September* One thousand eight hundred and thirty-seven, and shall from and after that Day be repealed, except as to Offences committed before or upon the said Thirtieth Day of *September*; which shall be dealt with and punished as if this Act had not been passed.

Punishment
of Robbery
attended with
cutting or
wounding.

II. And be it enacted, That whosoever shall rob any Person, and at the Time of or immediately before or immediately after such Robbery shall stab, cut, or wound any Person, shall be guilty of Felony, and being convicted thereof shall suffer Death:

Punishment
of Robbery
attended with
Violence.

III. And be it enacted, That whosoever shall, being armed with any offensive Weapon or Instrument, rob or assault with Intent to rob any Person, or shall, together with One or more Person or Persons, rob or assault with Intent to rob any Person, or shall rob any Person, and at the Time of or immediately before or immediately after such Robbery shall beat, strike, or use any other personal Violence to any Person, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be transported beyond the Seas for the Term of his or her natural Life, or for any Term not less than Fifteen Years, or to be imprisoned for any Term not exceeding Three Years.

Punishment
for obtaining
Property by
Threat of
accusing of
unnatural
Crimes.

IV. And be it enacted, That whosoever shall accuse or threaten to accuse any Person of the abominable Crime of Buggery committed either with Mankind or with Beast; or of any Assault with Intent to commit the said abominable Crime, or of any Attempt or Endeavour to commit the said abominable Crime, or of making or offering any Solicitation, Persuasion, Promise, or Threat to any Person whereby to move or induce such Person to commit or permit the said abominable Crime, with a View or Intent in any of the Cases aforesaid to extort or gain from such Person, and shall by intimidating such Person by such Accusation or Threat extort or gain from such Person any Property, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be transported beyond the Seas for the Term of his or her natural Life, or for any Term not less than Fifteen Years, or to be imprisoned for any Term not exceeding Three Years.

Punishment
of stealing
from the
Person.

V. And be it enacted, That whosoever shall rob any Person, or shall steal any Property from the Person of another, shall be liable, at the Discretion of the Court, to be transported beyond the Seas for any Term not exceeding Fifteen Years nor less than Ten Years, or to be imprisoned for any Term not exceeding Three Years.

VI. And

VI. And be it enacted, That whosoever shall assault any Person with Intent to rob shall be guilty of Felony, and being convicted thereof shall (save and except in the Cases where a greater Punishment is provided by this Act) be liable to be imprisoned for any Term not exceeding Three Years. Punishment for Assault with Intent to rob.

VII. And be it enacted, That whosoever shall, with Menaces or by Force, demand any Property of any Person with Intent to steal the same, shall be guilty of Felony, and being convicted thereof shall be liable to be imprisoned for any Term not exceeding Three Years. Punishment for attempting to obtain Property by Menace.

VIII. And be it enacted, That whosoever shall plunder or steal any Part of any Ship or Vessel which shall be in Distress, or wrecked, stranded, or cast on Shore, or any Goods, Merchandize, or Articles of any Kind belonging to such Ship or Vessel, and be convicted thereof, shall be liable, at the Discretion of the Court, to be transported beyond the Seas for any Term not exceeding Fifteen Years nor less than Ten Years, or to be imprisoned for any Term not exceeding Three Years. Punishment for wrecking.

IX. And be it enacted, That in the Case of every Felony punishable under this Act every Principal in the Second Degree and every Accessary before the Fact shall be punishable with Death or otherwise in the same Manner as the Principal in the First Degree is by this Act punishable; and every Accessary after the Fact to any Felony punishable under this Act (except only a Receiver of stolen Property) shall, on Conviction, be liable to be imprisoned for any Term not exceeding Two Years. Punishment of Accessaries.

X. And be it enacted, That where any Person shall be convicted of any Offence punishable under this Act for which Imprisonment may be awarded, it shall be lawful for the Court to sentence the Offender to be imprisoned, or to be imprisoned and kept to hard Labour, in the Common Gaol or House of Correction, and also to direct that the Offender shall be kept in solitary Confinement for any Portion or Portions of such Imprisonment, or of such Imprisonment with hard Labour, not exceeding One Month at any one Time, and not exceeding Three Months in any one Year, as to the Court in its Discretion shall seem meet. Offences punishable by Imprisonment.

XI. And be it further enacted, That nothing in this Act contained shall be construed to extend to the Alteration or Repeal of any of the Powers, Provisions, or Regulations contained in an Act made and passed in the Fifth and Sixth Years of the Reign of His late Majesty King William the Fourth, intituled *An Act for effecting greater Uniformity of Practice in the Government of the several Prisons in England and Wales, and for appointing Inspectors of Prisons in Great Britain*, or in an Act made and passed in the Fourth Year of His Majesty King George the Fourth, intituled *An Act for consolidating and amending the Laws relating to the building, repairing, and regulating of certain Gaols and Houses of Correction in England and Wales*. Not to affect Powers of 5 & 6 W. 4. c. 38. and 4 G. 4. c. 64.

Construction
of the Word
"Property."

XII. And be it enacted, That the Word "Property" shall throughout this Act be deemed to denote every Thing included under the Words "Chattel, Money, or valuable Security" used in the said Acts of the Seventh and Eighth Years and Ninth Year respectively of King *George* the Fourth.

Offences
committed
within the
Admiralty
Jurisdiction.

XIII. And be it enacted, That where any Felony punishable under this Act shall be committed within the Jurisdiction of the Admiralty of *England* or of *Ireland*, the same shall be dealt with, inquired of, tried, and determined in the same Manner as any other Felony committed within that Jurisdiction.

Not to ex-
tend to Scot-
land.

XIV. Provided always, and be it enacted, That nothing in this Act contained shall extend to *Scotland*.

Commence-
ment of Act.

XV. And be it enacted, That this Act shall commence and take effect on the First Day of *October* One thousand eight hundred and thirty-seven.

LONDON: Printed by GEORGE EYRE and ANDREW SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1837.



ANNO PRIMO

VICTORIÆ RÊGINÆ.

C A P. LXXXVIII.

An Act to amend certain Acts relating to the Crime
of Piracy. [17th July 1837.]

WHEREAS it is expedient to amend so much of an Act passed in the Twenty-eighth Year of the Reign of King Henry the Eighth, intituled *For Pirates*, and so much of 28 H. 8. c. 5. an Act passed in the Eleventh and Twelfth Years of the Reign of King William the Third, intituled *An Act for the more effectual 11 & 12 W. 3. Suppression of Piracy*, and so much of an Act passed in the Fourth c. 7. Year of the Reign of King George the First, intituled *An Act for 4 G. 1. c. 11. the further preventing Robbery, Burglary, and other Felonies, and s. 7. for the more effectual Transportation of Felons and unlawful Exporters of Wool, and for declaring the Law upon some Points relating to Pirates*, and so much of an Act passed in the Eighth Year of the same Reign, intituled *An Act for the more effectual suppressing of 8 G. 1. c. 24. Piracy*, and so much of an Act passed in the Eighteenth Year of the Reign of King George the Second, intituled *An Act to amend an 18 G. 2. c. 30. Act made in the Eleventh Year of the Reign of King William the Third, intituled 'An Act for the more effectual Suppression of Piracy,' as relates to the Punishment of the Crime of Piracy, or of any Offence by any of the said Acts declared to be Piracy, or of Accessories thereto respectively: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present*

Repeal of
Provisions in
recited Acts.

present Parliament assembled, and by the Authority of the same, That so much of the said several Acts as is herein-before referred to shall from and after the Commencement of this Act be and the same is hereby repealed.

Punishment
of Piracy
when Murder
is attempted.

II. And be it enacted, That from and after the Commencement of this Act whosoever, with Intent to commit or at the Time of or immediately before or immediately after committing the Crime of Piracy in respect of any Ship or Vessel, shall assault, with Intent to murder, any Person being on board of or belonging to such Ship or Vessel, or shall stab, cut, or wound any such Person, or unlawfully do any Act by which the Life of such Person may be endangered, shall be guilty of Felony, and being convicted thereof shall suffer Death as a Felon.

Persons
guilty of
Piracy to be
transported.

III. And be it enacted, That from and after the Commencement of this Act whosoever shall be convicted of any Offence which by any of the Acts herein-before referred to amounts to the Crime of Piracy, and is thereby made punishable with Death, shall be liable, at the Discretion of the Court, to be transported beyond the Seas for the Term of the natural Life of such Offender, or for any Term not less than Fifteen Years, or to be imprisoned for any Term not exceeding Three Years.

Punishment
of Acces-
saries.

IV. And be it enacted, That in the Case of every Felony punishable under this Act every Principal in the Second Degree and every Accessary before the Fact shall be punishable with Death or otherwise in the same Manner as the Principal in the First Degree is by this Act punishable; and every Accessary after the Fact to any Felony punishable under this Act shall, on Conviction, be liable to be imprisoned for any Term not exceeding Two Years.

Offences
punishable
by Imprison-
ment.

V. And be it enacted, That where any Person shall be convicted of any Offence punishable under this Act for which Imprisonment may be awarded, it shall be lawful for the Court to sentence the Offender to be imprisoned, or imprisoned and kept to hard Labour, in the Common Gaol or House of Correction, and also to direct that the Offender shall be kept in solitary Confinement for any Portion or Portions of such Imprisonment, or of such Imprisonment with hard Labour, not exceeding One Month at any one Time, and not exceeding Three Months in any one Year, as to the Court in its Discretion shall seem meet.

Not to affect
Powers of
5 & 6 W. 4.
c. 38. and
4 G. 4. c. 64.

VI. And be it further enacted, That nothing in this Act contained shall be construed to extend to the Alteration or Repeal of any of the Powers, Provisions, or Regulations contained in an Act made and passed in the Fifth and Sixth Years of the Reign of His late Majesty King William the Fourth, intituled *An Act for effecting greater Uniformity of Practice in the Government of the several Prisons in England and Wales, and for appointing Inspectors of Prisons in Great Britain*, or in an Act made and passed in the Fourth Year of His Majesty King George the Fourth, intituled *An Act for consolidating and amending the Laws relating to the building, repairing,*

*repairing, and regulating of certain Gaols and Houses of Correction
in England and Wales.*

VII. And be it further enacted, That this Act shall commence Commence-
and take effect on the First Day of *October* One, thousand eight ment of Act.
hundred and thirty-seven.

LONDON: Printed by GEORGE EYRE and ANDREW SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1837.



ANNO PRIMO

VICTORIÆ REGINÆ.

C A P. LXXXIX.

An Act to amend the Laws relating to burning or
destroying Buildings and Ships.

[17th July 1837.]

WHEREAS it is expedient to amend so much of an Act passed in the Seventh and Eighth Years of the Reign of King George the Fourth, intituled *An Act for consolidating and amending the Laws in England relative to malicious Injuries to Property*, and also so much of an Act passed in the Ninth Year of the same Reign, intituled *An Act for consolidating and amending the Laws in Ireland relative to malicious Injuries to Property*, as relates to any Person who shall unlawfully and maliciously set fire to any of the Buildings or Erections therein respectively mentioned; and so much of the same Acts as relates to any Person who shall unlawfully and maliciously set fire to any Mine of Coal or Cannel Coal; and so much of the same Acts as relates to any Person who shall unlawfully and maliciously set fire to or in anywise destroy any Ship or Vessel, whether the same be complete or in an unfinished State, or who shall unlawfully and maliciously set fire to, cast away, or in anywise destroy any Ship or Vessel, with Intent thereby to prejudice any Owner or Part Owner of such Ship or Vessel, or of any Goods on board the same, or any Person that hath underwritten or shall underwrite any Policy of Insurance upon such Ship or Vessel, or on the Freight thereof, or upon any Goods on board the same; and so much of the same Acts as relates to any Person who shall exhibit any false Light or Signal with Intent to bring any Ship or Vessel into Danger, or who shall unlawfully and maliciously do any thing

7 & 8 G. 4. c. 30.
9 G. 4. c. 56.

8 L. tending

Repeal of
Provisions in
recited Acts.

tending to the immediate Loss or Destruction of any Ship or Vessel in distress, or destroy any Part of any Ship or Vessel which shall be in distress, or wrecked, stranded, or cast on shore, or any Goods, Merchandize, or Articles of any Kind belonging to such Ship or Vessel, or who shall by Force prevent or impede any Person endeavouring to save his Life from such Ship or Vessel (whether he shall be on board or shall have quitted the same); and so much of the same Acts or either of them as relates to any Person who shall unlawfully or maliciously set fire to any Stack of Corn, Grain, Pulse, Straw, Hay, Coals, Turf, Charcoal, or Wood; and so much of the same Acts as relates to the Punishment of Principals in the Second Degree and of Accessories before and after the Fact respectively to such of the Felonies punishable under those Acts as are herein-before referred to: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That so much of the said Acts as is herein-before referred to shall continue in force until and throughout the Thirtieth Day of *September* One thousand eight hundred and thirty-seven, and shall from and after that Day be repealed, except as to Offences committed before or upon the said Thirtieth Day of *September*, which shall be dealt with and punished as if this Act had not been passed.

Setting fire
to a Dwelling
House any
Person being
therein.

II. And be it enacted, That whosoever shall unlawfully and maliciously set fire to any Dwelling House, any Person being therein, shall be guilty of Felony, and being convicted thereof shall suffer Death.

Setting fire
to a Church
or Chapel,
House,
Warehouse,
&c.

III. And be it enacted, That whosoever shall unlawfully and maliciously set fire to any Church or Chapel, or to any Chapel for the Religious Worship of Persons dissenting from the United Church of *England* and *Ireland*, or shall unlawfully and maliciously set fire to any House, Stable, Coach-house, Outhouse, Warehouse, Office, Shop, Mill, Malthouse, Hop-oast, Barn, or Granary, or to any Building or Erection used in carrying on any Trade or Manufacture, or any Branch thereof, whether the same or any of them respectively shall then be in the Possession of the Offender, or in the Possession of any other Person, with Intent thereby to injure or defraud any Person, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be transported beyond the Seas for the Term of the natural Life of such Offender, or for any Term not less than Fifteen Years, or to be imprisoned for any Term not exceeding Three Years.

Setting fire
to Ships or
Vessels with
Intent to
commit
Murder.

IV. And be it enacted, That whosoever shall unlawfully and maliciously set fire to, cast away, or in anywise destroy any Ship or Vessel, either with Intent to murder any Person, or whereby the Life of any Person shall be endangered, shall be guilty of Felony, and being convicted thereof shall suffer Death.

Hanging out
false Lights

V. And be it enacted, That whosoever shall unlawfully exhibit any false Light or Signal, with Intent to bring any Ship or Vessel into Danger,

Danger, or shall unlawfully and maliciously do any thing tending to the immediate Loss or Destruction of any Ship or Vessel in distress, shall be guilty of Felony, and being convicted thereof shall suffer Death.

to cause
Shipwreck.

VI. And be it enacted, That whosoever shall unlawfully and maliciously set fire to or in anywise destroy any Ship or Vessel, whether the same be complete or in an unfinished State, or shall unlawfully and maliciously set fire to, cast away, or in anywise destroy any Ship or Vessel, with Intent thereby to prejudice any Owner or Part Owner of such Ship or Vessel, or of any Goods on board the same, or any Person that hath underwritten or shall underwrite any Policy of Insurance upon such Ship or Vessel, or on the Freight thereof, or upon any Goods on board the same, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be transported beyond the Seas for the Term of the natural Life of such Offender, or for any Term not less than Fifteen Years, or to be imprisoned for any Term not exceeding Three Years.

Setting fire
to Ships or
Vessels with
Intent to
destroy the
same.

VII. And be it enacted, That whosoever shall by Force prevent or impede any Person endeavouring to save his Life from any Ship or Vessel which shall be in distress, or wrecked, stranded, or cast on shore, (whether he shall be on board or shall have quitted the same,) shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be transported beyond the Seas for the Term of the natural Life of such Offender, or for any Term not less than Fifteen Years, or to be imprisoned for any Term not exceeding Three Years.

Impeding
any Person
endeavour-
ing to save
his Life from
any Ship
wrecked, &c.

VIII. And be it enacted, That whosoever shall unlawfully and maliciously destroy any Part of any Ship or Vessel which shall be in distress, or wrecked, stranded, or cast on shore, or any Goods, Merchandize, or Articles of any Kind belonging to such Ship or Vessel, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be transported beyond the Seas for any Term not exceeding Fifteen Years nor less than Ten Years, or to be imprisoned for any Term not exceeding Three Years.

Destroying
Wrecks or
any Articles
belonging
thereto.

IX. And be it enacted, That whosoever shall unlawfully and maliciously set fire to any Mine of Coal or Cannel Coal shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be transported beyond the Seas for the Term of the natural Life of such Offender, or for any Term not less than Fifteen Years, or to be imprisoned for any Term not exceeding Three Years.

Setting fire
to Coal
Mines.

X. And be it enacted, That whosoever shall unlawfully and maliciously set fire to any Stack of Corn, Grain, Pulse, Tares, Straw, Haulm, Stubble, Furze, Heath, Fern, Hay, Turf, Peat, Coals, Charcoal, or Wood, or any Steer of Wood, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be transported beyond the Seas for the Term of the natural Life of such Offender, or for any Term not less than Fifteen Years, or to be imprisoned for any Term not exceeding Three Years:

Setting fire
to Agricul-
tural Pro-
duce, &c.

XI. And

Punishment
of Access-
saries.

XI. And be it enacted, That in the Case of every Felony punishable under this Act, every Principal in the Second Degree and every Accessary before the Fact shall be punishable with Death or otherwise in the same Manner as the Principal in the First Degree is by this Act punishable; and every Accessary after the Fact to any Felony punishable under this Act shall, on Conviction, be liable to be imprisoned for any Term not exceeding Two Years.

Offences
punishable
by Imprison-
ment.

XII. And be it enacted, That where any Person shall be convicted of any Offence punishable under this Act, for which Imprisonment may be awarded, it shall be lawful for the Court to sentence the Offender to be imprisoned, or imprisoned and kept to hard Labour, in the Common Gaol or House of Correction, and also to direct that the Offender shall be kept in solitary Confinement for any Portion or Portions of such Imprisonment, or of such Imprisonment with hard Labour, not exceeding One Month at any one Time, and not exceeding Three Months in any one Year, as to the Court in its Discretion shall seem meet.

Not to affect
Powers of
5 & 6 W. 4.
c. 38. and
6 G. 4. c. 64.

XIII. And be it further enacted, That nothing in this Act contained shall be construed to extend to the Alteration or Repeal of any of the Powers, Provisions, or Regulations contained in an Act made and passed in the Fifth and Sixth Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act for effecting greater Uniformity of Practice in the Government of the several Prisons in England and Wales, and for appointing Inspectors of Prisons in Great Britain*, or in an Act made and passed in the Fourth Year of His Majesty King *George* the Fourth, intituled *An Act for consolidating and amending the Laws relating to the building, repairing, and regulating of certain Gaols and Houses of Correction in England and Wales*.

Offences
committed
within the
Admiralty
Jurisdiction.

XIV. And be it enacted, That where any Felony punishable under this Act shall be committed within the Jurisdiction of the Admiralty of *England* or of *Ireland*, the same shall be dealt with, inquired of, tried, and determined in the same Manner as any other Felony committed within that Jurisdiction.

Not to ex-
tend to
Scotland.

XV. Provided always, and be it enacted, That nothing in this Act contained shall extend to *Scotland*.

Commence-
ment of Act.

XVI. And be it enacted, That this Act shall commence and take effect on the First Day of *October* One thousand eight hundred and thirty-seven.

ANNO PRIMO

VICTORIÆ RÊGINÆ.

C A P. XC.

An Act to amend the Law relative to Offences punishable by Transportation for Life.

[17th July 1837.]

WHEREAS by an Act passed in the Second and Third Years of His late Majesty King *William* the Fourth's Reign, intituled *An Act for abolishing the Punishment of Death in certain Cases, and substituting a lesser Punishment in lieu thereof*, 2 & 3. W 4. c. 62. Persons convicted of certain Offences therein mentioned are liable to be transported beyond the Seas for Life: And whereas by an Act passed in the Fourth Year of the same Reign, intituled *An Act to repeal so much of Two Acts of the Seventh and Eighth Years and Ninth Year of King George the Fourth as inflicts the Punishment of Death upon Persons breaking, entering, and stealing in a Dwelling House; also for giving Power to the Judges to add to the Punishment of Transportation for Life in certain Cases of Forgery, and in certain other Cases*, Persons punishable by Transportation for Life under the said recited Act are liable, previously to their being transported, in case the Court before whom such Persons shall be convicted shall think fit, to be imprisoned, with or without hard Labour, in the Common Gaol or House of Correction, or to be confined in the Penitentiary, for any Term not exceeding Four Years nor less than One Year: And whereas by the said last-mentioned recited Act every Person convicted of breaking and entering any Dwelling House, 4 W. 4. c 44.

8 M and

repeal of
certain
provisions
of recited
Acts, and
new Provi-
sion in lieu
thereof.

in One Year: And whereas it is
said recited Acts: Be it therefore enacted
Excellent Majesty, by and with the Advice and
Lords Spiritual and Temporal, and Commons, in this present Par-
liament assembled, and by the Authority of the same, That so much of
the said recited Acts as relates to the Punishment of Persons con-
victed of Offences for which they are liable under the said Act of the
Second and Third Years of His said late Majesty's Reign to be
transported for Life, and so much of the said Act of the Fourth Year
of the said Reign as relates to the Punishment of any Person convicted
of the Offence of breaking and entering any Dwelling House and
stealing therein as in that Act mentioned, shall from and after the
Commencement of this Act be and the same is hereby repealed; and
that from and after the Commencement of this Act every Person con-
victed of any of such Offences shall be liable to be transported beyond
the Seas for any Term not exceeding Fifteen Years nor less than Ten
Years, or to be imprisoned for any Term not exceeding Three Years.

Acts herein
recited in
part re-
pealed.
7 & 8 G. 4.
c. 29. s. 14.

s. 15.

s. 16.

II. And whereas by an Act passed in the Seventh and Eighth Years
of the Reign of King George the Fourth, intituled *An Act for con-
solidating and amending the Laws in England relative to Larceny
and other Offences connected therewith*, it was enacted, that if any
Person should break and enter any Building, and steal therein any
Chattel, Money, or valuable Security, such Building being within the
Curtilage of a Dwelling House and occupied therewith, but not being
Part thereof, according to the Provision therein before mentioned,
every such Offender, being convicted thereof (either upon an Indict-
ment for the same Offence, or upon an Indictment for Burglary,
Housebreaking, or stealing to the Value of Five Pounds in a Dwell-
ing House, containing a separate Count for such Offence), should be
liable, at the Discretion of the Court, to be transported beyond the
Seas for Life or for any Term not less than Seven Years, or to be
imprisoned for any Term not exceeding Four Years, and, if a Male,
to be once, twice, or thrice publicly or privately whipped (if the Court
should so think fit) in addition to such Imprisonment: And whereas
by the said last-mentioned Act it was also enacted, that if any Person
should break and enter any Shop, Warehouse, or Counting-house, and
steal therein any Chattel, Money, or valuable Security, every such
Offender, being convicted thereof, should be liable to any of the
Punishments which the Court might award as herein-before last
mentioned: And whereas by the said last-mentioned Act it was also
enacted, that if any Person should steal to the Value of Ten Shillings
any Goods or Article of Silk, Woollen, Linen, or Cotton, or of any
One or more of those Materials mixed with each other or mixed with
any

any other Material, whilst laid, placed, or exposed, during any Stage, Process, or Progress of Manufacture, in any Building, Field, or other Place, every such Offender, being convicted thereof, should be liable to any of the Punishments which the Court might award as herein-before last mentioned: And whereas by the said last-mentioned Act it was also enacted, that if any Person should steal any Goods or Merchandize in any Vessel, Barge, or Boat of any Description whatsoever in any Port of Entry or Discharge, or upon any Navigable River or Canal, or in any Creek belonging to or communicating with any such Port, River, or Canal, or should steal any Goods or Merchandize from any Dock, Wharf, or Quay adjacent to any such Port, River, Canal, or Creek, every such Offender, being convicted thereof, should be liable to any of the Punishments which the Court might award as herein-before last mentioned: And whereas by an Act passed in the said Seventh and Eighth Years of the said Reign, intituled *An Act for consolidating and amending the Laws in England relative to malicious Injuries to Property*, it was enacted, that if any Person should unlawfully and maliciously kill, maim, or wound any Cattle, every such Offender should be guilty of Felony, and being convicted thereof should be liable, at the Discretion of the Court, to be transported beyond the Seas for Life or for any Term not less than Seven Years, or to be imprisoned for any Term not exceeding Four Years, and, if a Male, to be once, twice, or thrice publicly or privately whipped (if the Court should so think fit) in addition to such Imprisonment: And whereas by the said last-mentioned Act it was also enacted, that if any Person should unlawfully and maliciously cut or otherwise destroy any Hopbuds growing on Poles in any Plantation of Hops, every such Offender should be guilty of Felony, and being convicted thereof should be liable, at the Discretion of the Court, to be transported beyond the Seas for Life, or for any Term not less than Seven Years, or to be imprisoned for any Term not exceeding Four Years, and, if a Male, to be once, twice, or thrice publicly or privately whipped (if the Court should so think fit) in addition to such Imprisonment: And whereas it is expedient to alter and amend the said last-mentioned in part recited Acts: Be it therefore enacted, That so much of the said last-mentioned Acts of the Seventh and Eighth Years of the Reign aforesaid as relates to the Punishment of Persons convicted of any of the Offences herein-before specified, as in those Acts contained respectively, shall from and after the Commencement of this Act be and the same are hereby repealed; and every Person convicted after the Commencement of this Act of any of such Offences respectively shall be liable to be transported beyond the Seas for any Term not exceeding Fifteen Years nor less than Ten Years, or to be imprisoned for any Term not exceeding Three Years.

s. 17.

7 & 8 G. 4.
c. 30. s. 16.

s. 18.

Répeal of
Provisions
of recited
Acts, and
new Provi-
sion in lieu
thereof.

III. And be it enacted, That in awarding the Punishment of Imprisonment for any Offence punishable under this Act it shall be lawful for the Court to direct such Imprisonment to be with or without hard Labour in the Common Gaol or House of Correction, and also to direct that the Offender shall be kept in solitary Confinement for any Portion or Portions of such Imprisonment, or of such Imprisonment with hard Labour, not exceeding One Month at any one

Offences
punishable
by Imprison-
ment.

one Time, and not exceeding Three Months in any one Year, as to the Court in its Discretion shall seem meet.

Not to affect
Powers of
5 & 6 W. 4.
c. 38. and
4 G. 4. c. 64.

IV. And be it further enacted, That nothing in this Act contained shall be construed to extend to the Alteration or Repeal of any of the Powers, Provisions, or Regulations contained in an Act made and passed in the Fifth and Sixth Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act for effecting greater Uniformity of Practice in the Government of the several Prisons in England and Wales, and for appointing Inspectors of Prisons in Great Britain*, or in an Act made and passed in the Fourth Year of His Majesty King *George* the Fourth, intituled *An Act for consolidating and amending the Laws relating to the building, repairing, and regulating of certain Gaols and Houses of Correction in England and Wales*.

Limitation
of Time of
Imprison-

V. And whereas by the Laws now in force it is lawful for the Court before whom any Person shall be convicted of certain Offences for which Imprisonment or Imprisonment with hard Labour may be awarded to direct that the Offender shall be kept in solitary Confinement for the Whole or any Portion or Portions of such Imprisonment, or of such Imprisonment with hard Labour, as to such Court in its Discretion should seem meet, it is hereby enacted, That from and after the Commencement of this Act it shall not be lawful for any Court to direct that any Offender shall be kept in solitary Confinement for any longer Periods than One Month at a Time, or than Three Months in the Space of One Year.

Commence-
ment of Act.

VI. And be it further enacted, That this Act shall commence and take effect on the First Day of *October* One thousand eight hundred and thirty-seven.

LONDON: Printed by GEORGE EYRE and ANDREW SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1837.



ANNO PRIMO

VICTORIÆ REGINÆ.

C A P. XCI.

An Act for abolishing the Punishment of Death in
certain Cases. [17th July 1837.]

WHEREAS by an Act passed in the First Year of the
Reign of King George the First, intituled *An Act for preventing Tumults and riotous Assemblies, and for the more speedy and effectual punishing the Rioters*, it was amongst other things enacted, that if any Persons to the Number of Twelve or more, being unlawfully, riotously, and tumultuously assembled together to the Disturbance of the Public Peace, and being required or commanded by any One or more Justice or Justices of the Peace, or by the Sheriff of the County or his Under Sheriff, or by the Mayor, Bailiff or Bailiffs, or other Head Officer, or Justice of the Peace of any City or Town Corporate where such Assembly should be, by Proclamation to be made in the King's Name in the Form therein-after directed, to disperse themselves, and peaceably to depart to their Habitations or to their lawful Business, should to the Number of Twelve or more (notwithstanding such Proclamation made) unlawfully, riotously, and tumultuously remain or continue together by the Space of One Hour after such Command or Request made by Proclamation, that then such continuing together to the Number of
8 N Twelve

1 G. 1. c. 9

Twelve or more after such Command or Request made by Proclamation should be adjudged Felony without Benefit of Clergy, and the Offenders therein should be adjudged Felons, and should suffer Death as in case of Felony without Benefit of Clergy; and it was also by the said Act further enacted, that if any Person or Persons did or should, with Force and Arms, wilfully and knowingly oppose, obstruct, or in any Manner wilfully and knowingly let, hinder, or hurt any Person or Persons that should begin to proclaim or go to proclaim according to the Proclamation thereby directed to be made, whereby such Proclamation should not be made, that then every such opposing, obstructing, letting, hindering, or hurting such Person or Persons so beginning or going to make such Proclamation as aforesaid should be adjudged Felony without Benefit of Clergy, and the Offenders therein should be adjudged Felons, and should suffer Death as in case of Felony without Benefit of Clergy; and that also every such Person or Persons, so being unlawfully, riotously, and tumultuously assembled to the Number of Twelve as aforesaid, or more, to whom Proclamation should or ought to have been made if the same had not been hindered as aforesaid, should likewise, in case they or any of them to the Number of Twelve or more should continue together and not disperse themselves within One Hour after such Let or Hindrance so made, having Knowledge of such Let or Hindrance so made, should be adjudged Felons, and should suffer Death as in case of Felony without Benefit of Clergy: And whereas by an Act passed in the Twenty-fifth Year of the Reign of King George the Second, intituled *An Act for better preventing the horrid Crime of Murder*; and also by an Act passed in the Parliament of Ireland in the Thirty-first Year of the Reign of King George the Third, intituled *An Act to prevent the horrid Crime of Murder; and to repeal an Act passed in the Tenth Year of King Henry the Seventh, intituled 'An Act to make 'Murder of Malice prepense Treason;' and for repealing an Act made in the Ninth Year of Queen Anne, intituled 'An Act for bringing an Appeal in case of Murder, notwithstanding the Statute of Henry the Seventh, whereby Murder is made High Treason,'* it was amongst other things enacted, that if any Person or Persons whatsoever should by Force set at liberty or rescue, or attempt to rescue or set at liberty, any Person out of Prison who shall be committed for or found guilty of Murder, or rescue or attempt to rescue any Person convicted of Murder going to Execution or during Execution, every Person so offending should be deemed, taken, and adjudged to be guilty of Felony, and should suffer Death without Benefit of Clergy: And whereas by an Act passed in the Thirty-seventh Year of the same Reign, intituled *An Act for the better Prevention and Punishment of Attempts to seduce Persons serving in His Majesty's Forces by Sea or Land from their Duty and Allegiance to His Majesty, or to incite them to Mutiny or Disobedience*, and also by an Act passed in the Parliament of Ireland in the same Year, and bearing the like Title, it was amongst other things enacted, that any Person or Persons who should maliciously and

25 G. 2. c. 37.
s. 9.

31 G. 3. c. 17.
s. 10. (1.)

37 G. 3. c. 70.
s. 1.

37 G. 3. c. 40.
s. 1. (1.)

and advisedly endeavour to seduce any Person or Persons serving in His Majesty's Forces by Sea or Land from his or their Duty and Allegiance to His Majesty, or to incite or stir up any such Person or Persons to commit any Act of Mutiny, or to make or endeavour to make any mutinous Assembly, or to commit any traitorous or mutinous Practice whatsoever, should, on being legally convicted of such Offence, be adjudged guilty of Felony, and should suffer Death as in Cases of Felony without Benefit of Clergy: And whereas by an Act passed in the Fifty-second Year of the same Reign, intituled *An Act to render more effectual an Act passed in the Thirty-seventh Year of His present Majesty, for preventing the administering or taking unlawful Oaths*, 52 G. 3. c. 104. s. 1. it was amongst other things enacted, that every Person who should, in any Manner or Form whatsoever, administer or cause to be administered, or be aiding or assisting at the administering of any Oath or Engagement purporting or intending to bind the Person taking the same to commit any Treason or Murder, or any Felony punishable by Law with Death, should, on Conviction thereof by due Course of Law, be adjudged guilty of Felony, and suffer Death as a Felon without Benefit of Clergy; and it was by the said Act further enacted, that Persons aiding and assisting at the administering of any such Oath or Engagement as aforesaid, and Persons causing any such Oath or Engagement to be administered, though not present at the administering thereof, should be deemed principal Offenders, and should be tried as such, and on Conviction thereof by due Course of Law should be adjudged guilty of Felony, and should suffer Death as Felons without Benefit of Clergy, although the Persons or Person who actually administered such Oath or Engagement, if any such there should be, should not have been tried or convicted: And whereas by an Act passed in the Fifty-ninth Year of the same Reign, intituled *An Act for the better Regulation of the General Penitentiary for Convicts at Millbank*, 59 G. 3. c. 137. s. 17. it was amongst other things enacted, that if any Convict who should be ordered to be confined in the said Penitentiary should at any Time during the Term of such Confinement break Prison or escape from the Place of his or her Confinement, or in his or her Conveyance to such Place of Confinement, or from the Person or Persons having the lawful Custody of such Convict, and being punished for any such Offence in the Manner in the said Act mentioned should afterwards be convicted of a Second Escape or Breach of Prison, he or she should be adjudged guilty of Felony without Benefit of Clergy: And whereas by an Act passed in the Fifth Year of the Reign of King George the Fourth, intituled *An Act to amend and consolidate the Laws relating to the Abolition of the Slave Trade*, 5 G. 4. c. 113. s. 9. it was amongst other things enacted, that if any Subject or Subjects of His Majesty, or any Person or Persons residing or being within any of the Dominions, Ports, Settlements, Factories, or Territories then or thereafter belonging to His Majesty, or being in His Majesty's Occupation or Possession, or under the Government of the United Company of Merchants of *England* trading to the *East Indies*, should, except in such Cases as are in and by that Act permitted, upon the High Seas, or in any Haven, River, Creek, or Place where the Admiral has Jurisdiction, knowingly and wilfully carry away, convey, or remove,

remove, or aid or assist in carrying away, conveying, or removing, any Person or Persons as a Slave or Slaves, or for the Purpose of his, her, or their being imported or brought as a Slave or Slaves into any Island, Colony, Country, Territory, or Place whatsoever, or for the Purpose of his, her, or their being sold, transferred, used, or dealt with as a Slave or Slaves, or should, except in such Cases as are in and by that Act permitted, upon the High Seas or within the Jurisdiction aforesaid, knowingly and wilfully ship, embark, receive, detain, or confine, or assist in shipping, embarking, receiving, detaining, or confining on board any Ship, Vessel, or Boat, any Person or Persons for the Purpose of his, her, or their being carried away, conveyed, or removed as a Slave or Slaves, or for the Purpose of his, her, or their being imported or brought as a Slave or Slaves into any Island, Colony, Country, Territory, or Place whatsoever, or for the Purpose of his, her, or their being sold, transferred, used, or dealt with as a Slave or Slaves, then and in every such Case the Person or Persons so offending should be deemed and adjudged guilty of Piracy, Felony, and Robbery, and being convicted thereof should suffer Death without Benefit of Clergy, and Loss of Lands, Goods, and Chattels, as Pirates, Felons, and Robbers upon the Seas ought to suffer: And whereas by an Act passed in the Third and Fourth Years of His late Majesty's Reign, intituled *An Act for the Prevention of Smuggling*, it was amongst other things enacted, that if any Persons, to the Number of Three or more, armed with Fire-arms or other offensive Weapons, should, within the United Kingdom, or within the Limits of any Port, Harbour, or Creek thereof, be assembled in order to be aiding and assisting in the illegal landing, running, or carrying away of any prohibited Goods, or any Goods liable to any Duties which have not been paid or secured, or in rescuing or taking away any such Goods as aforesaid after Seizure from the Officer of the Customs or other Officer authorized to seize the same, or from any Person or Persons employed by them or assisting them, or from the Place where the same shall have been lodged by them, or in rescuing any Person who shall have been apprehended for any of the Offences made Felony by that Act or any Act relating to the Customs, or in the preventing the Apprehension of any Person who shall have been guilty of such Offence, or in case any Persons, to the Number of Three or more, so armed as aforesaid, should, within the United Kingdom, or within the Limits of any Port, Harbour, or Creek thereof, be so aiding or assisting, every Person so offending, and every Person aiding, abetting, or assisting therein, should, being thereof convicted, be adjudged guilty of Felony, and suffer Death as a Felon; and it was by the said Act now in recital further enacted, that if any Person should maliciously shoot at any Vessel or Boat belonging to His Majesty's Navy or in the Service of the Revenue, within One hundred Leagues of any Part of the Coast of the United Kingdom, or should maliciously shoot at, maim, or dangerously wound any Officer of the Army, Navy, or Marines, being duly employed for the Prevention of Smuggling and on Full Pay, or any Officer of

W. 4.
s. 58.

s. 59.

of Customs or Excise, or any Person acting in his Aid or Assistance, or duly employed for the Prevention of Smuggling, in the due Execution of his Office or Duty, every Person so offending, and every Person aiding, abetting, or assisting therein, should, being lawfully convicted, be adjudged guilty of Felony, and suffer Death as a Felon: And whereas it is expedient that none of the herein-before mentioned Offences should henceforth be punishable with Death: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That if any Person shall after the Commencement of this Act be convicted of any of the Offences herein-before mentioned, such Person shall not suffer Death or have Sentence of Death awarded against him or her for the same, but shall be liable, at the Discretion of the Court, to be transported beyond the Seas for the Term of the natural Life of such Person, or for any Term not less than Fifteen Years, or to be imprisoned for any Term not exceeding Three Years.

Abolishing
Punishment
of Death
in certain Cases.

II. And be it enacted, That in awarding the Punishment of Imprisonment for any Offence punishable under this Act it shall be lawful for the Court to direct such Imprisonment to be with or without hard Labour in the Common Gaol or House of Correction, and also to direct that the Offender shall be kept in solitary Confinement for any Portion or Portions of such Imprisonment, or of such Imprisonment with hard Labour, not exceeding One Month at any one Time, and not exceeding Three Months in any one Year, as to the Court in its Discretion shall seem meet.

Offence
punish-
by Im-
ment.

III. And be it further enacted, That nothing in this Act contained shall be construed to extend to the Alteration or Repeal of any of the Powers, Provisions, or Regulations contained in an Act made and passed in the Fifth and Sixth Years of the Reign of His late Majesty King William the Fourth, intituled *An Act for effecting greater Uniformity of Practice in the Government of the several Prisons in England and Wales, and for appointing Inspectors of Prisons in Great Britain*, or in an Act made and passed in the Fourth Year of His Majesty King George the Fourth, intituled *An Act for consolidating and amending the Laws relating to the building, repairing, and regulating of certain Gaols and Houses of Correction in England and Wales*.

Not to affect
Powers of
5 & 6 W. 4
c. 38. and
4 G. 4.

IV. And whereas it is expedient to repeal an Act passed in the Second Year of the Reign of King James the First, intituled *An Act for the charitable Relief and ordering of Persons infected with the Plague*, and any Act continuing or perpetuating the same so far as relates to the continuing or perpetuating the same; be it therefore enacted, That the same shall be and the same are hereby respectively repealed.

Repeal of
2 Jac. 1. c. 31.

698

1^o VICTORIÆ, .Cap.91.

Commence-
ment of Act.

V. And be it further enacted, That this Act shall commence and take effect on the First Day of *October* One thousand eight hundred and thirty-seven.

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